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ABSTRACT

The Unesco Mass Media Declaration, which seeks to establish fundamental principles concerning the contribution of the mass media to strengthening peace and international understanding, is presented in the paper. Part one provides a brief history of the Mass Media Declaration, with annexed information on resolutions, meetings, and amendments concerning the draft declaration between 1970 and 1978. Part two contains the 63 speeches from member delegations who responded to passage of the mass media declaration at the 1978 session of the General Conference of Unesco, held in Paris. These speeches examine the importance of the Declaration; the significance of the consensus, particularly in view of the differences of opinion that existed before; and the obstacles likely to be faced in implementing the Declaration. Part three discusses the international function of the Declaration in the light of related principles enunciated by the United Nations and Unesco. An appendix contains texts and international instruments related to the guiding principles referred to in the title of the Declaration, namely the strengthening of peace and international understanding and combating war propaganda, racism, and apartheid. (RL)

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New Communication Order 9

HISTORICAL BACKGROUND OF THE MASS MEDIA DECLARATION

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DOCUMENTS ON THE NEW COMMUNICATION ORDER

Titles published in English:

1. Impact of Modern Communication Technology - I: AUSTRALIA
2. Impact of Modern Communication Technology - II: INDONESIA
3. Flow of News in the Gulf
4. Protection of Journalists
8. Telecommunication Tariffs for the Mass Media
9. Historical Background of the Mass Media Declaration

Titles published in French:

4. La protection des journalistes
5. La presse brésilienne et sa vision des problèmes d'importance internationale
6. La presse au Canada et sa vision des problèmes d'importance internationale
7. La presse française et sa vision des problèmes d'importance internationale

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PART ONE

A BRIEF HISTORY OF THE MASS MEDIA DECLARATION

The General Conference of Unesco adopted at its sixteenth session (1970) resolution 4.301 (see Annex I), "deeming that information media should play an important part in furthering international understanding and co-operation in the interests of peace and human welfare", it affirmed "the inadmissibility of using information media for propaganda on behalf of war, racialism and hatred among nations" and invited "all States to take the necessary steps, including legislative measures, to encourage the use of information media against propaganda on behalf of war, racialism and hatred among nations, and to provide Unesco with information on the subject".

At its seventeenth session (1972), the General Conference adopted resolution 4.113 (see Annex II) which called for the preparation of a "draft declaration concerning the fundamental principles governing the use of the mass media with a view to strengthening peace and international understanding and combating war propaganda, racialism and apartheid".

In conformity with this resolution, a meeting of experts was convened at Unesco House in March 1974 to advise the Director-General on a text for submission to the eighteenth session of the General Conference. This meeting had before it, as a basis for discussion, an initial text of a draft declaration established for the Secretariat by a consultant, Prof. Hilding Eek, from Sweden (see Annex III, document COM-74/CONF.616/3). In the course of a detailed examination of this draft, the meeting made a considerable number of suggestions which were embodied in a report to the Director General.

This report (see Annex IV, document COM-74/CONF.616/5) referred to the considerable difficulty in striking an appropriate balance between, on the one hand, the concept of freedom of information, and on the other, the need for a sense of responsibility to prevent abuses of this freedom. It was the general view of the Expert Meeting that the issues dealt with in the draft declaration were of the greatest importance. But the difficulties inherent in drafting a set of fundamental principles intended to be applicable to the mass media were also simultaneously pointed out.

While working on the draft of Prof. Eek (referred to below as the "Initial draft"), the Expert Meeting decided to work in consensus so that the amendments they would work out would receive their unanimous support, given in their personal capacity. It was this meeting that changed the title of the proposed Declaration from "Draft Declaration on Fundamental Principles Governing the Use of the Mass Media (as in the initial draft), to "Draft Declaration on Fundamental Principles on the Role of the Mass Media in Strengthening Peace and international understanding and in Combating War Propaganda, Racism and Apartheid". This change in the title was based on the view that the declaration was intended primarily as a statement of moral duties resting upon the mass media and was not intended to set out principles that would necessarily be imposed upon the mass media by legislation. Hence the words "governing the use" were dropped. The title was deliberately made descriptive, which was thought to be more useful for the purpose of the declaration.

Several other changes, both in their contents and placements, were made in the preambular paragraphs and also in the operative articles. Some new ones were added (for details see Annex IV). Though the terms of reference of the Expert Meeting were to advise the Director General on the initial text, the meeting felt that the most effective manner of conveying its suggestions would be to prepare a new draft, on the basis of their criticism of the initial draft. Thus they prepared and submitted a new draft, which the Director General took into account while preparing the document 18 C/35 (see Annex V) for the consideration of the Eighteenth General Conference of Unesco, held in 1974.

In the detailed discussion that was carried out in Commission IV of the General Conference, a large number of delegates referred to the Draft Declaration contained in document 18 C/35, to which a total of eleven amendments were submitted in the form of draft resolutions (see Annex VI, document 18 C/COM/DRs I-II). All speakers expressed the view that this was a very important issue. Many of them underlined the moral and ethical standards which should govern the use of the mass media. In the view of a large number of delegations there was a need for such a declaration of fundamental principles governing the flow of information and ideas. The vast and growing importance of the mass media in ensuring the preservation of peace and mutual understanding between peoples was emphasized and many speakers observed that the power of the mass media made it imperative that their misuse be avoided.

From the general comments made on the scope and objectives of the declaration there appeared, as already noted earlier in the Expert Meeting, a difficulty in striking an appropriate balance between the concept of freedom of information and the need for a sense of responsibility to prevent abuses of this freedom.

Speakers from developing countries particularly stressed the need for a multidirectional flow of information. They felt that the cultural integrity of their countries required freedom from undue influence of large foreign media organizations serving private interests and often monopolistic in character. They considered that the principle of free flow of information was not being practiced when countries lacked the production capacity to participate in such a flow on an equal basis.

Another cause for concern among certain delegates was that the mass media in some countries sometimes sowed seeds of national hatred, offended national feelings and waged intolerant campaigns against national minorities. They felt also that the mass media in some countries were not contributing to international understanding and mutual respect of other countries and that they failed to understand and report the legitimate concerns and aspirations of other countries and nations. Some delegates felt that countries should have the right to take measures to protect themselves against mass media that do not act responsibly. It was also stated that the rapid development of the mass media made it necessary to underline the responsibility of States in this field.

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One delegate observed that this responsibility should be defined in the text of the Declaration and that the role of Unesco should also be specified there. Another delegate expressed the view that the real problem for the developing countries was that the establishment and strenthening of mass media infrastructures was not dealt with by the Draft Declaration. Still another was of the opinion that national control of the mass media was needed and that the ownership of the mass media should be transferred to the social sectors concerned.

Other delegates considered that no amendment to the Draft Declaration should be made in the direction of limiting freedom of information. They felt that government intervention was not the way to encourage mass media to respect ethical standards and act responsibly. One speaker felt that one should not lose sight of the diversities which Unesco should preserve and indicated that he could not subscribe to any text that would limit the free flow of information. This delegate made the proposal, which was supported by other speakers, that the Declaration should be deleted and the funds thus saved, be used for concrete activities in developing countries.

One delegate noted that constitutional protections of freedom of information would preclude certain countries from enacting legislation requiring mass media within their jurisdiction to comply with the Declaration. Other speakers felt that it would not be sufficient to simply draft a declaration and make it known but that its principles should be implemented and the results achieved reported on.

There was general agreement that the Draft Declaration in document 18 C/35 and the proposed amendments needed to be studied in depth. Several delegates proposed the setting up of a working party to prepare a new draft. It was pointed out that the present draft had been established on the basis of the suggestions of a meeting of experts (category VI) not representing the views of their respective governments. Many delegations considered that it would not be reasonable to expect that a text of such importance could be adopted at this session of the General Conference, and that a further meeting was needed to allow further consideration of the Draft Declaration before it was submitted to the General Conference at its nineteenth session.

A proposal to convene in 1975-1976 an intergovernmental meeting to prepare a Draft Declaration for submission to the General Conference at its nineteenth session was adopted. In view of this proposal of Commission IV, the General Conference adopted resolution 4.111 (see Annex VII), which called for the convening of an intergovernmental meeting of experts to prepare a revised draft.

In pursuance of this resolution the intergovernmental meeting was convened and it took place at Unesco House in December 1975. The meeting had before it the draft declaration which was contained in document 18C/35 and the proposed amendments to that draft which appeared in 18C/COM/DRs 1 to 11, as well as a number of proposed amendments submitted in the course of its proceedings (see Annex VIII, document No. COM-75/CONF.201/DRs 1 to 26).

The meeting was opened by John E. Fobes, Deputy Director General, who in his speech (for details see Annex IX, document 19C/91) drew attention to the exacting task that lay before the participants. He said:

> "The issues with which you will be dealing during the coming week are of deep concern to Unesco and indeed are rooted in the Constitution itself. The founders of this Organization pledged themselves 'to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives'. In so doing they enumerated two principles which have been at the heart of much of what Unesco sought to accomplish in this field in the ensuing years. The first principle - as stated in yet another provision of the Constitution - is to promote 'the free flow of ideas by word and image'. The second is that the content of what is transmitted through the media of mass communication should as far as possible serve to make peoples know and understand each other better".

In the discussion that ensued, a number of delegations expressed that the text of the draft declaration which the Meeting was called upon to prepare should be drawn up as a document dealing with the use of all the means of mass communication. Most speakers underlined the powerful impact and the extended influence of the mass media in the modern world. Speakers also referred to the persuasive power of the media in favour of the ideals of peace, and the spiritual enrichment of peoples, their corrective influence in combating aggressive or discriminatory propaganda, their liberating and developing potential through the free exchange of information and ideas, and the opportunities they provide for the mutual appreciation of cultures. The damage resulting from the misuse of the media was also strongly emphasized.

A number of delegates, while expressing their readiness to reach constructive agreement, at least on basic points of convergence, nevertheless had some doubts as to the value or feasibility of such declarations, considering that any attempt to override genuine differences among peoples or to coerce others to abandon their basic philosophies would be inadmissible, and that it would be unrealistic to call for the affirmation of principles which their governments could not endorse. Some of these speakers pointed out that in their countries the government did not exercise direct power over the media.

A number of delegations, stressing the powerful influence of mass communication on public opinion, drew attention to its importance in fostering peace and trust in international relations and promoting increased exchanges and mutual cultural enrichment among States, including those with differing social systems. It was noted that such aims were consonant with Unesco's objectives in working towards international co-operation and national development in the various fields of its competence.

A number of delegations noted the positive results achieved in the sphere of international detente. In this connection, these delegations attached great importance to the recent Helsinki Conference on Security and Co-operation in Europe, which was seen by some as representing a positive - even historic - step in the direction of international understanding and detente. Other delegates, while recognizing the usefulness of that Conference, nevertheless drew attention to the constructive contribution towards greater justice in international affairs made by conferences held by the countries of the Third World, and in particular by the non-aligned nations, in the context of efforts to establish a new world order.

Part of the discussion revolved around the issues of the freedom of information, on the one hand, and the responsibilities of the State and of the media, on the other. Several speakers observed that these represented two differing philosophies as to the role of the mass media in society, though there were possibly various points at which they converged. Freedom of speech was seen by these speakers as a right which should be relatively unfettered by government action, which meant that the role of the State and that of the media were to be clearly distinguished. This also meant, one delegate contended, that the State should have the means to guarantee a balanced information flow, the State having the responsibility for the structure of the mass media, not for the content. A number of delegations drew attention to the fact that the Declaration was to be particularly concerned with strengthening peace and international understanding and combating war propaganda, racism and apartheid.

Basic agreement, at international level, to a commitment to the free exchange of information, several delegates noted, had long existed and was expressed in such texts as the Universal Declaration of Human Rights and the Constitution of Unesco, although one speaker pointed out that many newly independent countries had had no part in the formulation of the international instruments cited. Other experts, however, stressed that the principle of freedom of information could not be considered to be commonly accepted in international relations, and that it was applicable to constitutional freedoms, which were normally enshrined in national legislation. Other speakers referred also to the International Covenant on Civil and Political Rights. In defence of the concept of freedom of information it was urged, by one delegate, that instead of inhibiting the capacity of some countries to communicate, the efforts of the international community should be directed towards developing the capacity of all peoples to articulate their views and ideas through the mass media, as a possible means of redressing imbalances in the two-way flow. It was however noted that subsequent to the adoption of the texts cited, there had arisen new concerns in this field - the concern for a two-way flow of information was an example. These texts has also included references to the responsibility of the media. But, these speakers considered, such responsibility could and should be exercised by the media themselves. An observer spoke of the independence of information personnel as a safeguard against abuses and oppression.

Certain delegates felt that each State was responsible for the activity of the media under its jurisdiction. Others were of the opinion that the proper role of the State was to actively stimulate the responsibility of the media, encouraging them to play a positive role in society, through national legislation, the promulgation of professional standards and, in the international sphere, through the adoption of appropriate instruments. In this latter respect several experts expressed appreciation for the initiatives of Unesco and others referred to the relevant provisions in the main United Nations texts already cited.

The opinion was generally expressed that States had a right to protect their social and cultural integrity and to see that foreign values were not imposed upon them.

For many countries particularly those of the developing world, a number of delegates affirmed, the adoption of international standards would be ineffective unless they tended towards greater international social and economic justice. Communications technology was complex and expensive and tended to be held in monopolies and sectional interests which controlled the nature of information and access to it. In this connection a delegate from a developing country stressed the responsibility of the mass information media for promoting among all peoples the objectives on which the new international economic order is based, in virtue of the documents approved by the international community. In particular, he quoted the Declaration and Programme of Action on the Establishment of a New International Economic Order, adopted by the Sixth Special Session of the United Nations General Assembly, and the Charter of Economic Rights and Duties of States.

A number of delegations spoke strongly against the misuse of the media, some citing particular cases of what they considered to be distortion or suppression of information and of aggressive, discriminatory or racial propaganda. (For a detailed account of the meeting see Annex IX, document 19 C/91, Report of the Intergovernmental Meeting of Experts, Paris, December 15-22, 1975).

In spite of difficulties to arrive at a general agreement, a majority of the participants adopted a new draft (see Annex IX, document 19 C/91) to be submitted to the General Conference at its nineteenth session in Nairobi 1976. The new draft, as prepared by the Intergovernmental Meeting of Experts was presented for the consideration of the General Conference at its nineteenth session, held in Nairobi, in 1976. It was Commission III of the conference where the draft declaration was discussed. The Commission held several sessions on the draft, but could not come to any agreement and finally decided to put the subject for the consideration of the Drafting and Negotiation Group. In his report to the Plenary session of the Conference, the Chairman of the Drafting and Negotiating Group, M. Boissier-Palum (Bénin) said that the group had attached particular attention to the document and held several meetings on the subject. He reported that a sub-group within the Drafting and Negotiating Group, was created to examine the draft contained in the document 19 C/91. But neither the sub-group nor the full group could agree on a common position.

After consideration of the various points raised, the General Conference again decided to call for the preparation of a revised text. It adopted resolution 4.143 (see Annex X) which invited "the Director-General to hold further broad consultations with experts with a view to preparing a final Draft Declaration... which could meet with the largest possible measure of agreement, as well as to proposing any other action which may be called for in the light of these consultations". This resolution also called for the submission of such a draft and any other proposal to Member States at the end of 1977 or the beginning of 1978. In the resolution, the General Conference finally decided to include the question in the agenda of its twentieth session.

In pursuance of this resolution the Secretariat, with the assistance of consultants, revised the text in the light of the comments made and objections raised during the discussion in Nairobi. The revised text, completed in September of 1977, was the subject for further consultations - about one hundred persons being consulted. Varying and occasionally even contradictory opinions were expressed by them. The Director-General then considered that he should bring the matter before the Executive Board (item 5.5.4 of the agenda of the 104th. session) to inform it that the opinions expressed could be grouped into five broad categories (the revised text is satisfactory; the revised text constitutes an acceptable basis for discussion, subject to improvements at a later date; the revised text is not the kind of document which was expected; a draft declaration is not advisable at the present time; there is no point in any draft declaration); to draw the Executive Board's attention to the difficulty of the task assigned to him by the General Conference at its nineteenth session; and to ask its advice on the measures to be taken. The Executive Board, 'affirming the possibility of drafting a final declaration which, given the goodwill in the search for a common ground, could meet with the largest possible measure of agreement', invited the Director-General 'to continue his efforts with a view to producing... a final draft declaration' (decision 104 EX/SR. 34). In view of this decision and other consultations, the Director - General prepared a new draft, which he proposed to submit for consideration by the twentieth session of the General Conference (see Annex XI, document 20C/20).

While derived from the preceding versions, this new draft 20 C/20 (in both the preamble and the articles) took into account the opinions expressed since the inception of work on its preparation, and of the desire stated by the General Conference at its nineteenth session that it should 'meet with the largest possible measure of agreement'.

The greatest obstacle to a formulation which could meet with the largest possible measure of agreement was thought to stem in the earlier drafts from their inherent ambiguousness as to the role devolving on the mass media in relation to other entities (States) or individuals (journalists, professional organizations) in achieving the objectives stated in the title. This ambiguousness might have given grounds for an interpretation of the relations between the mass media and the public authorities, whereby the declaration might be used to impose control over the former by the latter. The culmination of this ambiguousness was expressed in Article XII of the draft in document 19 C/91 ("States are *responsible* for the activities in the international sphere of all mass media under their jurisdiction") and Article VI ("... *legislative* action might be envisaged consistent with the respective constitutional systems of States and with relevant international instruments and agreements"). However, this was probably inevitable given the wording of the title of the draft, which referred explicitly to "the use" of the mass media.

The most important alterations made by comparison with the earlier drafts, in particular with the version in document 19 C/91, were designed to remove the above mentioned obstacle by eliminating all traces of ambiguousness. To this end the text in document 20 C/20 contained no direct reference to the responsibility of the State *vis-à-vis* the activities of the mass media or to any invitation to implement legislative action; the title of the declaration was altered: "Declaration on fundamental principles governing the *contribution* (instead of 'the use') of the mass media...".

A somewhat different logical approach made it necessary to also rearrange this text. Whereas in the earlier drafts, the most active role devolved primarily on States, with the mass media acting as *intermediaries* in achieving the stated objectives, it became necessary in the new text to make the mass media the primary actors. The new draft referred more directly to the moral, social and professional responsibilities of the mass media, on the basis of the universally recognized principles of freedom of expression, information and opinion, and the firmly stated role played by the media in achieving the objectives of the declaration. The role of States was reformulated with the same purpose in mind, and was presented in a single article which set out very clearly how the task incumbent upon States is differentiated according to the status of the mass media, which varies from one country to another.

Since it was issued on 6 September 1978, the Draft Delcaration in document 20 C/20 had aroused keen interest and generated much discussion, which the importance of the subject fully justified.

Not only were statements concerning the text of the Draft Declaration made by most of the heads of delegation in the General Policy Debate of the twentieth session of the General Conference; its content was also extensively discussed during the numerous meetings which the Director General held with the heads of delegation of Member States and with the observers attending the General Conference.

In the light of these statements and consultations and of the discussions which he held in particular with the different regional groups, the Director-General felt able to submit to the General Conference a new text (Annex XII, document 20 C/20 Rev.) which was in his view likely to command the broad agreement which the General Conference deemed desirable at its nineteenth session. The final text was the result of lengthy and patient negotiations. It took into account the ideas underlying the proposed amendments, and its wording was designed to dispel the misgivings generated by certain misunderstandings.

The Director-General, while presenting the document 20 C/20 Rev., noted the determination of the international community to reach a successful conclusion. He expresned his satisfaction that the General Conference had been the occasion of so fruitful and impassioned a debate on the controversial problems of communication.

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The Draft Declaration was put to vote on 22 November, 1978, as set forth in document 20 C/20 Rev. and was adopted by acclamation.

Referring to its significance the Director-General said, in his speech at the close of the twentieth session, that the Declaration emerged as a central feature of the twentieth session of the General Conference "by virtue of the prominence given to it in the debates of the General Conference and in consultations between delegates, the strong emotions and great zeal shown during its final drafting and the interest which it aroused among the mass media...". Referring to the elaborate negotiating process through which the Declaration had to pass, he said "For eight years, delegates to the General Conference, experts and specialists from all regions and all countries have held meetings, consultations and discussions, have accumulated projects, counter-projects and amendments, without the international community being able to agree upon a text.

That agreement was reached during the present session of the General Conference. This happy outcome is even more remarkable in that the probabilities of failure seemed great. It is indeed an example of the triumph of patient efforts to achieve conciliation which have never failed, even when faced with formidable obstacles. It symbolizes the pre-eminence which should be given to the worldwide approach which, while still taking account of specific circumstances, gives pride of place to the common interest of mankind".

Outlining the prospects that the adoption of the Declaration opened up for the future, the Director-General said "It is fact of major importance that, for the first time, the international community has at its disposal a body of principles and ideals such as can provide guidance for the action and practice of all those whose hearts are set on justice and peace".

ANNEXES

4

ANNEX I

Resolution 4.301 adopted by the General Conference at its sixteenth session, 1970, Paris.

The General Conference,

Recalling that, under its Constitution 'the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture',

Taking account of the Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming resolutions 6.21 and 10, adopted by the General Conference at its thirteenth and fourteenth sessions respectively, together with resolution 9 on Unesco's contribution to peace and Unesco's tasks with respect to the elimination of colonialism and racialism, adopted by the General Conference at its fifteenth session,

Reaffirming further resolutions on education for international understanding, co-operation and peace, adopted at various sessions of the General Conference, and particularly resolution 1.27 adopted by the General Conference at its fifteenth session,

Recalling the principles proclaimed in the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, and in General Assembly resolution 110 (II) of 3 November 1947 condemning all forms of propaganda either designed or likely to provoke or encourage any threat to the peace,

Considering that propaganda on behalf of war, racialism and hatred among nations by means of information media is incompatible with the purposes and principles of the United Nations Charter and the Constitution of Unesco,

Noting the ever-growing influence of information media on the life of society,

Deeming that information media should play an important part in furthering international understanding and co-operation in the interests of peace and human welfare,

1. Affirms the inadmissibility of using information media for propaganda on behalf of war, racialism and hatred among nations;
2. Invites all States to take the necessary steps, including legislative measures, to encourge the use of information media against propaganda on behalf of war, racialism and hatred among nations, and to provide Unesco with information on the subject;
3. Invites the Director-General to submit to the General Conference, at its seventeenth session, a report based on the replies of Member States on existing legislation and measures taken by them to encourage the use of information media against propaganda on behalf of war, racialism and hatred among nations.

ANNEX II

Resolution 4.113 adopted by the General Conference at its seventeenth session, 1972, Paris.

The General Conference,

Recalling that under the terms of the Constitution, 'the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture', Taking into account the rapid development of the mass information media which constitute one of the most important elements in modern scientific and technological progress,

Noting the ever-increasing role played by the mass information media in the intellectual life of society and the shaping of public opinion,

Bearing in mind the principles set out in the Universal Declaration of Human Rights, in the Declaration on the Elimination of All Forms of Racial Discrimination in the Declaration on the Granting of Independence to Colonial Peoples and Countries, in the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, and in resolution 110 (II) of the United Nations General Assembly, dated 3 November 1947, which condemned all forms of propaganda and the inciters of a new war,

Reaffirming resolutions 6.21, 10 and 9 adopted at its thirteenth, fourteenth and fifteenth sessions respectively, as well as resolution 8, entitled 'Unesco's Contribution to Peace and its Tasks with Respect to the Elimination of Colonialism, and Utilization of Unesco's Programme as a means of Strengthening Co-operation between European States in the Interests of Peace and Security in Europe', and resolution 4.301, both adopted at its sixteenth session,

Referring to resolution 2 of the Intergovernmental Conference on Cultural Policies (Venice, 1970), attended by Ministers of Culture, by which Member States were recommended to 'strengthen, by means of culture and information, their work in support of peace and international understanding, and consequently take appropriate action against the production, publication and circulation of works which contain incitements to hatred between nations, to violence and to war',

Welcoming recommendation 32 of the Conference of European Ministers of Culture (Helsinki, 1972), which invites Member States to 'have active recourse to cultural relations and information media for spreading

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the ideas of peace, friendship and mutual understanding among nations',

1. Once again invites Member States to take all possible measures to ensure that the mass information media are not used for propaganda on behalf of war, racialism and hatred among nations;
2. Notes the work done by the Secretariat in preparing a report based on replies from Member States concerning legislation in force in those States and the measures taken by them to prevent the information media from being used for propaganda on behalf of war, racialism and hatred among nations;
3. Requests the Director-General to prepare and to submit to the General Conference at its eighteenth session a draft declaration concerning the fundamental principles governing the use of the mass information media with a view to strengthening peace and international understanding and combating war propaganda, racialism and apartheid.

ANNEX III

(Document No. COM-74/CONF. 616/3)

Meeting of Experts on a Draft Declaration Concerning the use of the Mass Media (Unesco House, Paris, 11-15 March 1974).

(The present document contains a first draft of the declaration established by a Unesco consultant: Professor Hilding Eek (Sweden). The Meeting of Experts was called upon to examine the text of the draft declaration together with the comments received and to advise the Director-General thereon. In the light of the meeting's report and its recommendation, the Director-General drew up a revised text of a draft declaration which he submitted for adoption to the General Conference at its eighteenth session.)

Draft declaration of fundamental principles governing the use of the mass media

Recalling that by its Constitution Unesco is charged with contributing to peace and security by promoting collaboration among the nations through education, science and culture, and that, to realize this purpose, the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image,

Recalling the objective enunciated in the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights, the non-interference in matters within the domestic jurisdiction of any State, the achievement of international co-operation and the respect for human rights and fundamental freedoms,

Considering that freddom of expression, information and opinions are fundamental human rights and that the free interchange of accurate, objective and comprehensive information and of opinions, both in the national and in the international spheres, is essential to the cause of peace and the achievement of political, social, cultural and economic progress,

Considering further that the exercise of the right to freedom of information carries with it duties and responsibilities, so as to ensure the free flow of true and honest information to all peoples,

Endorsing the resolution of the second General Assembly of the United Nations opposing propaganda which is designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and on the spreading of false and distorted reports,

Confirming resolution 11 adopted by the General Conference on 15 November 1968 reiterating Unesco's objective to help to eradicate colonialism and racialism,

Taking account of article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, whereby States

Parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, (and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination),

Bearing in mind the Declaration of the Principles of International Cultural Co-operation adopted by the General Conference of Unesco, at its fourteenth session, and the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange, adopted by the General Conference of Unesco, at its seventeenth session,

Noting the rapid development of the mass media which constitute one of the key elements in modern scientific and technological progress, and play an ever-increasing role in the intellectual life of society and the shaping of public opinion,

Proclaims this Declaration concerning the fundamental principles governing the use of the mass media with a view to strengthening peace and international understanding and combating war propaganda, racialism and apartheid.

Article I. Each State is internationally responsible for the conduct of its governmental information services and their activities beyond its own borders as well as for its national legislation relating to the performance of mass media within its own territory. International responsibility is based on the principles and rules of international law, in particular the Charter of the United Nations.

Article II. All possible measures should be taken to ensure that governmental media, which are disseminating information and opinion abroad, do so in a manner which is compatible with the mutual respect of the rights and dignity of States and peoples.

Article III. The right to seek and transmit information should be assured in order to enable the public to ascertain facts and appraise events, bearing always in mind the principle of respect for the sovereignty, equality and territorial integrity of States and of non-intervention in the internal affairs of foreign countries. For that purpose, the widest possible facilities should be afforded for access to foreign news sources. A concomitant to this is the right of States and information media in each country to diffuse reports of national events to others beyond their borders, since the two-way flow of news is fundamental to the strengthening of peace and international understanding.

Article IV. By comprehending and reporting the aims, aspirations, cultures and needs of foreign nations, mass media can help promote the broadening of international co-operation, the reduction of tensions and the settlement of differences and disputes between States by peaceful means.

Article V. The dissemination of false reports harmful to friendly relations among nations or inciting to war or to national, racial or religious hatred should be avoided. To this end legislative action might be envisaged which, nevertheless, should protect freedom of information as defined in international instruments and agreements.

Article VI. Ideas based upon hatred of races are contrary to international engagements and the United Nations Declarations of Human Rights; mass media should, therefore, adopt appropriate measures to avoid incitement to racial discrimination, acts of violence or encouragement of such acts against any race or group of persons of another colour or ethnic origin.

Article VII. The right of correction should be accorded foreign governments in cases where they contend that erroneous news reports, diffused by media, injure their relations with other States or their national prestige or dignity.

Article VIII. States can encourage the development of responsible national mass media to ensure that they serve the needs of the people and promote international understanding. They can protect, by international agreements and national legislation, the economic and social independence of information personnel.

Article IX. Professional organizations in the field of the mass media contribute to awareness of journalistic responsibility. Efforts should be made to encourage high ethical standards and to improve the professional training of media personnel both on the national and international level to encourage the use of the media to spread ideas of peace, friendship and mutual understanding among nations.

Article X. The principles of this Declaration shall be applied with due regard for human rights and fundamental freedoms.

ANNEX IV

(Document No. COM-74/CONF. 616/5)

Meeting of Experts on a Draft Declaration concerning the role of the Mass Media (Unesco House, Paris, 11-15 March 1974).

Report of the Meeting

I. Introduction

The meeting of experts on a draft declaration concerning the role of the mass media, convened further to resolution 4.113 adopted by the General Conference at its seventeenth session, was held at Unesco House, Paris, from 11 to 15 March 1974.

The present report of the meeting was approved unanimously.

(a) Opening

The meeting was opened by Mr. A. Obligado, Assitant Director-

General for communication, on behalf of the Director-General of Unesco.

Having welcomed the participants, Mr. Obligado recalled initiatives taken not only by Unesco but also by the United Nations in fields related to the draft declaration and stressed the important role of the meeting in advising the Director-General on a text to be submitted to the General Conference at its eighteenth session in October-November of this year. He expressed the hope that the meeting would achieve a consensus on a draft reflecting the universal desire that the mass media should serve to promote the progress and enrichment of mankind.

(b) Participants

The meeting was attended by experts participating in a personal capacity and invited by the Director-General on the basis of suggestions made by the National Commissions for Unesco in the countries concerned. Representatives and observers from the United Nations and certain international non-governmental organizations as well as two consultants also took part. A complete list of participants is attached.

(c) Officers

The meeting elected the following officers:

Chairman : Mr. James R. Kangwana (Kenya)
Vice-Chairman : Mr. Andres Zavala (Argentina)
Rapporteur : Mr. Peter S. Grant (Canada)

(d) Documents

The meeting had before it as a basis for its discussions a working paper containing a first draft of the declaration established with the help of a consultant, Professor Hilding Eek (Sweden). Another document summarized comments on the text received from two other consultants, Professor Jacques Bourquin (Switzerland) and Professor Bogdan

Osolnik (Yugoslavia), to whom the draft had been submitted by the Unesco Secretariat for advice.

II. General Discussion

General comments on the draft declaration and on its scope and objectives were made by the participating experts, observers, and consultants. Most of these comments referred to the enormous difficulty in striking an appropriate balance between, on the one hand, the concept of freedom of information and, on the other, the need for a sense of responsibility to prevent abuses of this freedom. Professor Eek, the Unesco consultant, was commended for having produced a useful and stimulating draft declaration to serve as a basis for discussion.

It was the general view that the draft declaration dealt with an issue of the greatest importance. One speaker recalled Mr. Justice Cardozo's statement that freedom of information was a necessary condition for the exercise of all other freedoms. Another empahsized the vast and growing importance of the mass media in ensuring the preservation of peace and mutual understanding between peoples. At the same time, a number of participants observed that the power of the mass media made it imperative to avoid misuse.

The concern of the participants with the role of the mass media took a number of forms. Speakers from the developing countries particularly stressed the problem of promoting a more balanced flow of information and opinion, so that the cultural integrity of their countries would not be submerged or dominated by foreign sources. Contributing to this problem was the enormous influence of the mass media on youth. One speaker noted that one of the aims of having a free flow of information is to ensure a diversity of sources of news and opinions; the problem for many countries was that their own economic resources were not sufficient to support local competing media, particularly when faced with the massive importation of foreign sources. The principle of a free interchange of information and opinion could not operate where certain countries lacked the production capacity to participate in such exchange on an equal basis.

Another cause for concern among a number of the speakers was that the bulk of information flow coming into the developing countries stemmed from large media organizations that were privately owned, often monopolistic in nature, and like other multinational enterprises, beyond the jurisdiction of any one State. Where such mass media were used to sow seeds of hatred or distrust, or to offend national feelings or customs, or in many cases where they failed to make even an attempt to understand the legitimate cultures and aspirations of certain countries, these countries have understandably been troubled with both a sense of concern and a sense of helplessness. It was with these points in mind that a number of speakers expressed the hope that a Unesco declaration could be most important and useful in stressing to media organizations the responsibilities that they should assume in contributing to peace and understanding. Some speakers felt in fact that countries should have the right to take measures to protect themselves against mass media that to not act responsibly in this regard.

At the same time, a number of speakers pointed out the difficulties inherent in drafting a set of fundamental principles intended to be applicable to the mass media. Three of the experts emphasized that any attempt to reduce such principles to writing would be bound to run the risk of abuse, since some governments might use the principles to place unwarranted restrictions on the free flow of ideas. This problem was echoed by an observer from an international organization of journalists who noted that many governments could use the pretext of preserving their own national integrity to encroach on the necessary independence of the mass media professions, and suppress dissenting voices. One of the speakers also noted that there was no international organization in existence that could adjudicate the performance of the media and that the most that a Unesco declaration should do is to state a set of moral principles which the media should be encouraged but not required by law to follow. Two speakers noted that in any case constitutional protections of freedom of speech and of the press would preclude their respective countries from enacting legislation requiring media within their jurisdiction to comply with the declaration.

On the other hand, one speaker noted that legislation designed to correct economic imbalances would not be an encroachment on freedom of speech when it is neutral as to the content of the media but concerns itself only with the balance of information and opinion from foreign and domestic sources, or with the right of the audience to be heard where media voices are monopolistic in character. One speaker questioned in the light of this whether all mass media should be treated alike or whether only certain forms should be dealt with.

Finally, a number of speakers felt that more emphasis should be placed on the positive role of the media. One speaker hoped that some reference would be incorporated into the declaration to the purpose of the information media, which was in his view to propagate the truth. All speakers were conscious of the problems in drafting a declaration in an area as sensitive as this, but felt that the most important task was to strike the best balance between the desire to further a free flow of information and the moral obligation for the media to act responsibly.

III. Consideration of the Draft Declaration

The experts then considered the draft declaration prepared by Professor Eek, first with regard to the preamble and then with regard to each article. There was a full and lively discussion on each paragraph of the draft text. In the light of this discussion, a considerable number of revisions to Professor Eek's draft (referred to below as the "initial draft"), were recommended. From the outset, the experts decided to work in consensus, so that whatever draft declaration would emerge would be unanimously supported by all the experts in their personal capacity. This was achieved, and the draft declaration appended in Annex I was found to be acceptable by all of the experts in attendance. Because the experts participated in their personal capacity, however, it was realized that their positions did not commit their respective governments. The expert from the United States wished the final report of the meeting to record that, in his judgement, the draft declaration produced at the meeting would be unacceptable to the United States Government.

Title and Preamble

The initial draft had been entitled "Draft Declaration of Fundamental Principles Governing the Use of the Mass Media". This has now been changed to read "Draft Declaration of Fundamental Principles on the Role of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid". This reflects the comments of some of the experts that the declaration is intended primarily as a statement of moral duties resting upon the mass media and was not intended to set out principles that would necessarily be imposed upon the mass media by legislation. Hence the words "governing the use" were inappropriate. The title is also much more descriptive of the purpose of the declaration. It was realized that the General Conference might wish to re-examine the wording of the title, but a number of experts expressed serious misgivings over the wording indicated by the terms of the resolution calling for the declaration.

A number of changes were made in the references in the preamble to past conventions, declarations and resolutions. These references were grouped together in the first part of the preamble so that the general statements of purpose preceded by the word "considering" could be grouped at the end. Several of the references were reworded to correspond more precisely with the text of the document upon which they were based. A number of experts also suggested additional references to conventions and resolutions which were incorporated into the preamble.

The eighth and ninth paragraphs of the preamble are based on the third and fourth paragraphs of the initial draft. Originally, the freedom of interchange was so worded that it applied only to "accurate, objective and comprehensive" information and to opinions. These adjectives were removed entirely in the present draft since in the view of many of the experts they introduced an element of subjectivity which might have been used by States as a warrant to restrict free interchange. The desire for "accuracy" and "comprehensiveness" was instead added to the ninth paragraph to describe a responsibility falling upon the mass media themselves. Obviously, everyone would prefer that all dissemination of information be "accurate", but this is extremely difficult to determine objectively. Therefore, the basic protection sought in the declaration is to remind the media of a duty to report matters "in good faith" in consonance with these objectives. It may also be noted that respect for individuals "without distinction as to sex" has been added to the objectives sought for the media, in response to the suggestion of one of the observers.

Paragraph 10 of the preamble is new. It reflects the concern of several of the experts with the rights of those receiving information and opinion as opposed to the rights of those who disseminate. In particular, several experts noted the problem that occurs when a few privately-owned foreign sources of news and opinion dominate the channels of communication within a country so that diverse voices and particularly indigenous voices are not heard.

Article I. This article is broadly based on Article II of the initial draft, but expanded to embrace the general principles stated in the Universal Declaration of Human Rights. These objectives have now been stated in terms of a direct moral obligation on the mass media, rather than an obligation of the State. The role of States in encouraging mass media to act in compliance with these principles has been carefully redrafted to take account of the necessity of keeping the media independent of government control. Thus legislation as such is not necessarily envisaged, and in any case, can only be enacted subject to adequate protection for the principles of freedom of speech and freedom of the press. Two experts also suggested that a reference be added in this article to the principles set out in the International Covenant on Civil and Political Rights. Since this Covenant has not yet entered into force, however, it was considered that the reference should not be added at this time but might later be added upon the coming into force of the Covenant.

Article II. This is based on Article III of the initial draft. The right to receive information has been explicitly added. Considerable discussion ensued over the use of the word "national" in describing events to be diffused under sub-paragraph 3. The experts agreed that this sub-paragraph was intended only to refer to the concept of two-way mutual exchanges. It was not intended to be interpreted as a restriction on the nature of the news to be transmitted across borders. The access of the public to news across borders is implicitly covered by the first two sub-paragraphs.

Article III. This is based on Article IV of the initial draft, reworded to emphasize the two-way obligation of the mass media in reporting to each other the aims and aspirations of peoples in various countries.

Article IV. This is based on Article V of the initial draft. Again the obligation has been restated so that it has become a moral duty falling upon the media itself. The dissemination of reports conducive to racial hatred, etc., is condemned in the declaration but this is not intended to give a warrant for States to pass legislation restricting free opinions.

Article V. This is based on Article VI of the initial draft, but redrafted to make it clear that acts of racial discrimination are intended to be covered rather than the mere holding of ideas.

Article VI. This is a new article, suggested by one of the experts and supported by a number of others, intended to emphasize the impact of the mass media on youth and the resulting moral obligations falling upon them.

Article VII. This is based on Article VII of the initial draft. It has been redrafted to indicate that the right of correction is a moral obligation of the information media, rather than necessarily a legislative requirement. It is a concommitant of their obligation to report information accurately and comprehensively as set out in the preamble. One of the experts suggested that this also reflected freedom of speech as viewed from the point of view of the listener or reader since what was desired was access for all points of view.

Article VIII. This is a redrafting of Article VIII in the initial draft. A reference has been added to the need for adequate technical facilities and production capacity in each country. In addition, a specific note has been taken of the need to give access to reporters and other media voices under the repression of apartheid.

Article IX. This is based upon Article IX in the initial draft. One expert also suggested that a reference be incorporated to the need for legislation to combat media monopolies, but this was not included in view of the fact that this subject is under separate study.

Article X. This article in its original form Article I of the initial draft presented a number of difficult problems. Certain experts felt that States should take responsibility for the activities of their mass media when such media operated beyond the borders of one country. On the other hand, other experts pointed out that the privately-owned mass media were largely independent of State control and that this would necessarily remain true in view of the protections for freedom of speech and freedom of the press in their jurisdictions. Thus international responsibility by States could extend only to information services directly operated by governments. It was also pointed out that even government-owned services would be largely independent of State control where, as in Canada or the United Kingdom, such services were carried out by independent crown corporations. Hence the declaration refers only to customary international law, which concededly limits State responsibility for the operation of independent media organizations very severely. One other suggestion, not here adopted, was to refer to a State responsibility for legislation relating to the performance of the mass media. This too would have had only limited effect. The result is that the responsibilities set out in the declaration devolve chiefly on the media themselves, and may more properly be described as a moral duty to the public at large.

Article XI. This is identical to Article X in the initial draft.

CONCLUSION. While the Committee's terms of reference are to advise the Director General on the initial text, the Committee felt that the most effective manner in which to convey its suggestions to the Director-General was to append to the present report summarizing the discussions a revised draft declaration for his guidance in the submission of a text to the General Conference.

DRAFT DECLARATION OF FUNDAMENTAL PRINCIPLES ON THE ROLE OF THE MASS MEDIA IN STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING AND IN COMBATING WAR PROPAGANDA, RACISM AND APARTHEID

(Prepared by the experts participating in the meeting)

The General Conference of the United Nations Educational, Scientific and Cultural Organization,

Recalling that by its Constitution, Unesco is charged with contributing to peace and security by promoting collaboration among the nations through education, science and culture, and that, to realize this purpose, the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image,

Recalling the purposes and principles of the United Nations, as specified in the Charter,

Recalling Articles 19 and 26 of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations in 1948, and Articles 19 and 20 of the International Covenant on Civil and Political Rights, adopted by the General Assembly in 1966,

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Recalling resolution 110 (II) of the General Assembly of the United Nations condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression and resolution 3068 (XXVIII) of the General Assembly adopting the International Convention on the Suppression and Punishment of the Crime of Apartheid,

Confirming resolution 9.12 adopted by the General Conference on 15 November 1968 reiterating Unesco's objective to help to eradicate colonialism and racialism,

Taking account of Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, whereby States Parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination,

Bearing in mind the Declaration of the Principles of International Cultural Co-operation adopted by the General Conference of Unesco, at its fourteenth session, and the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information the Spread of Education and Greater Cultural Exchange, adopted by the General Conference of Unesco, at its seventeenth session,

Considering that freedom of expression, information and opinion are fundamental human rights and that the free interchange of information and opinions, both in the national and in the international spheres, is essential to the cause of peace and achievement of political, social, cultural and economic progress,

Considering further that the exercise of the right to freedom of information entails special responsibilities and duties for persons who disseminate information to strive in good faith to ensure the fullness and accuracy of the facts reported and to respect the rights and the dignity of nations, and of groups and individuals without distinction as to race, sex, nationality or creed,

Considering further that full account must be taken of the needs and rights of audiences and the right of all countries and peoples to protect and preserve their cultures as part of the common heritage of mankind,

Noting the rapid development of the mass media which constitute one of the key elements in modern scientific and technological progress, and play an ever-increasing role in the intellectual life of society and the shaping of public opinion,

Proclaims this Declaration of Fundamental Principles on the role of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racims and Apartheid.

Article I. 1. Mass Media in disseminating information and opinion should take all possible measures to do so in a manner which is compatible with the mutual respect of the rights and dignity of States and peoples, and in accord with the principles set out in the Universal Declaration of Human Rights.

2. Subject to adequate protection for the principles of freedom of speech and freedom of the press, States should exert their influence to encourage mass media within their jurisdiction to act in conformity with the principles and standards of the Charter of the United Nations for the purpose of strengthening peace and international understanding and combating war propaganda, racism and apartheid.

Article II. 1. The right to seek, receive and transmit information should be assured in order to enable the public to ascertain facts and appraise events, bearing in mind the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights.

2. For the above purpose, the widest possible facilities should be afforded for access by the public to news sources.

3. States and information media in each country should have the right to diffuse reports of national events to others beyond their borders, since the two-way flow of news is fundamental to the strengthening of peace and international understanding.

Article III. Mass Media should help promote the broadening of international co-operation, understanding and mutual respect, the reduction of tensions and the settlement of differences and disputes between States by peaceful means, by ensuring that the aims, aspirations, needs and culture of their country are reported to other nations, and conversely that those of other nations are made known to their own people.

Article IV. Mass media should promote greater knowledge on the part of the peoples of the world of the evils attendant upon war, violence, apartheid and other forms of national, racial or religious hatred. Conversely, the dissemination of reports conducive to these evils is condemned.

Article V. Racism, racial discrimination and apartheid are contrary to international engagements and the Universal Declaration of Human Rights; mass media should, therefore, adopt appropriate measures to avoid incitement to racial discrimination, acts of violence or encouragement of such acts against any group of persons because of their race, colour or ethnic origin. For this purpose, legislative action might be envisaged which, nevertheless, should protect freedom of information as defined in international instruments and agreements.

Article VI. Mass media have a special responsibility to youth. Consonant with Article 26 of the Universal Declaration of Human Rights they should seek to promote the full development of the human personality and strengthen respect for human rights and fundamental freedoms. They should also promote among youth a spirit of understanding, tolerance and friendship among all nations, racial or religious groups.

Article VII. A right of correction should be accorded in cases where States contend that erroneous news reports have seriously injured their relations with other States or their national prestige or dignity.

Article VIII. States should encourage the development of responsible national mass media and the fostering of their technological independence to ensure that they reflect the needs, aims and aspirations of the people and promote international understanding. They should foster,by international agreements and national legislation, the economic and social independence of information personnel, and help ensure that the media have the technical facilities required to carry out their role. Mass media in all countries should also be encouraged to provide access for the voices of those unable to express themselves within their own territory because of the repression brought about by apartheid.

Article IX. Efforts should be made to create and strengthen professional organizations in the field of the mass media to ensure that such media contribute to the achievement of the objectives of this declaration. In particular, these organizations can, on a national, regional, and international level, encourage high ethical standards and improve the professional training of media personnel.

Article X. The responsibility of a State in the international sphere for the activities of mass media under its jurisdiction is governed by customary international law and relevant international agreements.

Article XI. The principles of this declaration shall be applied with due regard for human rights and fundamental freedoms.

List of Participants

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ANNEX V

(Document 18 C/35)

Draft Declaration of Fundamental Principles on the Role of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid.

Summary

Pursuant to 17 C/Resolution 4.113 (3), the Director-General submits to the General Conference the text of a draft declaration of fundamental principles on the role of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid. The document is in two parts: Part I gives the background of the preparation of the draft declaration; Part II contains the text.

Part I

1. The General Conference, at its seventeenth session, requested the Director-General "to prepare and to submit to the General Conference at its eighteenth session a draft declaration concerning the fundamental principles governing the use of the mass information media with a view to strengthening peace and international understanding and combating war propaganda, racialism and apartheid" (17 C/Resolution 4.113 (3)).

2. In conformity with the work plan relating to this resolution (17 C/5 Approved, para. 1145) a meeting of experts (Category VI) was convened at Unesco Headquarters from 11 to 15 March 1974 to advise the Director-General on a text for submission to the General Conference. In accordance with the rules governing Category VI meetings, the experts participated in their private capacity and not as representatives of their respective governments. Representatives from the United Nations and observers from certain international non-governmental organizations also took part.

3. The meeting had before it, as a basis for discussion, a first draft of a declaration. In the course of a detailed examination of the draft, the meeting made a considerable number of suggestions which were embodied in a report to the Director-General (document COM-74/CONF. 616/5).

4. Set out in Part II of the present document is the text of a draft declaration prepared in the light of suggestions made by the experts. The Director-General submits this text to the General Conference for its consideration.

Part II

DRAFT DECLARATION OF FUNDAMENTAL PRINCIPLES ON THE ROLE OF THE MASS MEDIA IN STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING AND IN COMBATING WAR PROPAGANDA, RACISM AND APARTHEID

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Paris at its eighteenth session in 1974,

Recalling that by its Constitution Unesco is charged with contributing to peace and security by promoting collaboration among the nations through education, science and culture, and that, to realize this purpose, the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image,

Recalling the purposes and principles of the United Nations, as specified in the Charter,

Recalling Articles 19 and 26 of the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, and Articles 19 and 20 of the International Covenant on Civil and Political Rights, adopted by the General Assembly in 1966, _Recalling_ resolution 110 (II) of the General Assembly of the United Nations condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression and resolution 3068 (XXVIII) of the General Assembly adopting the International Convention on the Suppression and Punishment of the Crime of Apartheid,

Recalling resolution 9.12 adopted by the General Conference at its fifteenth session reiterating Unesco's objective to help to eradicate colonialism and racialism,

Taking account of Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, whereby States Parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination,

Bearing in mind the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of Unesco at its fourteenth session, and the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange, adopted by the General Conference of Unesco at its seventeenth session,

Considering that freedom of expression, information and opinion are fundamental human rights and that the free interchange of information and opinions, both in the national and in the international spheres, is essential to the cause of peace and achievement of political, social, cultural and economic progress,

Considering also that the exercise of the right to freedom of information entails special responsibilities and duties for persons who disseminate information to strive in good faith to ensure the fullness and accuracy of the facts reported and to respect the rights and the dignity of nations, and of groups and individuals without distinction as to race, sex, nationality or creed,

Considering further that full account must be taken of the needs and rights of audiences and the right of all countries and peoples to protect and preserve their cultures as part of the common heritage of mankind,

Noting the rapid development of the mass media which constitute one of the key elements in modern scientific and technological progress, and play an ever-increasing role in the intellectual life of society and the shaping of public opinion,

Proclaims on this day of 1974 this Declaration of Fundamental Principles on the Role of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid.

Article I. 1. The mass media in disseminating information and opinion have a responsibility to do so in a manner which is compatible with the mutual respect of the rights and dignity of States and peoples, and in accord with the principles set out in the Universal Declaration of Human Rights.

2. Subject to adequate protection for the principles of freedom of speech and freedom of the press, it is incumbent upon States to encourage mass media to act in conformity with the principles and standards of the Charter of the United Nations and the Universal Declaration of Human Rights so as to strengthen peace and international understanding and combat war propaganda, racism and apartheid.

Article II. In order to enable the public to ascertain facts and appraise events, the right to seek, receive and transmit information should be assured, and the widest possible facilities afforded, bearing in mind the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights.

Article III. Since the two-way flow of news is fundamental to the strengthening of peace and international understanding, States and information media in each country have the right to diffuse reports of national events to others beyond their borders. By ensuring that the aims, aspirations, needs and culture of each country are reported to others, mass media promote the broadening of international co-operation, understanding and mutual respect, the reduction of tensions and the settlement of differences and disputes between States by peaceful means.

Article IV. 1. It is a responsiblity of the mass media to promote greater knowledge on the part of the peoples of the world of the evils attendant upon war, violence, apartheid and other forms of national, racial or religious hatred.

2. The dissemination of reports conducive to these evils is condemned.

Article V. 1. Any incitement to racial discrimination, acts of violence or encouragement of such acts against any group of persons because of their race, colour or ethnic origin is to be shunned. For this purpose, legislative action might be envisaged without however infringing upon freedom of information as defined in international instruments and agreements.

2. The voices of those unable to be heard within their own territory because of the repression brought about by apartheid should be given expression through the mass media.

Article VI. The mass media have a special responsibility to youth and for the dissemination of their views. It is consonant with Article 26 of the Universal Declaration of Human Rights for the media to promote, particularly among youth, the full development of the human personality, the strengthening of respect for human rights and fundamental freedoms and a spirit of understanding, tolerance and friendship among all nations, racial or religious groups.

Article VII. A right of correction applies in cases where States contend that erroneous news reports have seriously injured their relations with other States or their national prestige or dignity.

Article VIII. In order to encourage the development of responsible national mass media and foster their technological independence, it is incumbent upon States to promote, by international agreements and national legislation, the economic and social independence of information personnel, and help ensure that the media have the technical facilities required to carry out their role.

Article IX. The creation and strengthening of professional organizations in the field of the mass media can help to ensure that the media contribute effectively to the achievement of the objectives of this Declaration. In particular, these organizations can, on a national, regional and international level, encourage high ethical standards and improve the professional training of media personnel.

Article X. The responsibility of States in the international sphere for the activities of mass media under their jurisdiction is governed by customary international law and relevant international agreements.

Article XI. The principles of this Declaration shall be applied with due regard for human rights and fundamental freedoms.

ANNEX VI

(Documents 18 C/COM/DRs 1-11)

Amendments to Draft Declaration of Fundamental Principles on the Role of Mass Media in Strengthening Peace and International Understanding and Combating War Propaganda, Racism and Apartheid (Document 18 C/35), Proposed during the General Conference at its Eighteenth Session.

1. DRAFT RESOLUTION submitted by INDIA (This proposal was received by the Secretariat on 29 October 1974).

Article III. "Since the two-way flow of news is fundamental to the strenghtening of peace and international understanding, Unesco will in co-operation with other United Nations agencies, give priority to the building up of information infrastructure in developing countries to correct the present imbalance and to removing hurdles in international exchange of communication such as the existing cable tariff system, to ensure that two-way flow of information becomes a reality. Only this will ensure that the aims, aspiration needs and culture of each country are reported to others. Mass media will thus promote the broadening of international co-operation, understanding and mutual respect, the reduction of tensions and the settlement of differences and disputes between States by peaceful means".

Article X. "The responsibility of States in the international sphere for the activities of mass media under their jurisdiction should be governed by customary internal laws and relevant international agreements. No State shall, therefore, directly or through any agencies or organizations, aid or abet mass media in any other country, by any overt or covert means, to undermine the prestige or stability of its national system or government".

2. DRAFT RESOLUTION submitted by PERU (This proposal was received by the Secretariat on 30 October 1974).

Add the underlined words to Article VIII: "In order to encourage the development of responsible national mass media and foster their technological independence, it is incumbent upon States to promote, by international agreements and national legislation, the economic and social independence of information personnel, to arrange for the transfer of the ownership of the mass media to the social sectors and for international governmental control of the privately-owned major information agencies, and to help ensure that the media have the technical facilities required to carry out their role".

Insert as Article VIII (a): "The national character of the mass media and their independence of all manipulation by private groups or the State bureaucracy derive from direct social control of these media by grass-roots organizations".

3. DRAFT RESOLUTION submitted by UKRAINIAN SOVIET SOCIALIST REPUBLIC (This proposal was received by the Secretariat on 31 October 1974).

1. Replace the eighth preambular paragraph by the following text:

"Considering the importance of utilizing all means of mass communication for the support and reinforcement of international peace and for the development of friendly relations between States, irrespective of their political, economic or social systems,

Concerned also that the various mass media should at all times be used in a manner consistent with the principle of respect for national sovereignty".

2. In Article IX of the Draft Declaration replace the words "ethical standards" by "ethical and moral principles".

4. DRAFT RESOLUTION submitted by the USSR (This proposal was received by the Secretariat on 31 October 1974).

1. Amend the title of the draft declaration in accordance with paragraph 3 of resolution 4.113 adopted by the General Conference of Unesco at its seventeenth session as follows:

"Declaration concerning the fundamental principles governing the use of the mass information media with a view to strengthening peace and international understanding and combating war propaganda, racialism and apartheid".

2. Reword the first preambular paragraph as follows, so as to bring it into line with the purposes and functions of Member States described in the Constitution of Unesco:

"Recalling that, by its Constitution, the purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

To realize this purpose the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image.

With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States members of this Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction".

3. Amend the Russian text of preambular paragraph 6 so that it corresponds exactly with the wording of Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, by continuing after the words "racial discrimination" as follows:

"Whereby States condemn all propaganda and all organizations which are based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or encourage racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination".

5. DRAFT RESOLUTION submitted by GERMAN DEMOCRATIC REPUBLIC (This proposal was received by the Secretariat on 31 October 1974).

To modify paragraph 9 of the Preamble to read as follows:

"Considering also that the exercise of the right to freedom of information entails special responsibilities and *the duty of the States who disseminate information to take effective measures aimed at regulating the use of mass media in order to suppress likely information abuses*".

Article I: To modify paragraphs 1 and 2 to read as follows:

"1. Each State bears responsibility for the activities of national mass media and undertakes to disseminate information in a manner which is compatible with the mutual respect of the rights and dignity of all States and peoples, and in accord with the principles of International Law.

2. Alongside with observing appropriate principles of freedom of speech and freedom of the press it is incumbent upon each State to encourage mass media to act in conformity with the objectives and principles of the Charter of the United Nations so as to maintain and strengthen peace and international understanding, combat war propaganda, racism and apartheid".

6. DRAFT RESOLUTION submitted by BYELORUSSIAN SSR (This proposal was received by the Secretariat on 31 October 1974).

1. In the third preambular paragraph, omit the words "Articles 19 and 26 of the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, and".

2. Amend the wording of the fourth preambular paragraph so as to bring it into line with the text of resolution 110 (II) adopted by the General Assembly of the United Nations, as follows: "*Recalling* resolu-

tion 110 (II) of the General Assembly of the United Nations condemning all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression"; and further, omit the words "resolution 3068 (XXVIII) of the General Assembly adopting" before "the International Convention on the Suppression and Punishment of the Crime of Apartheid".

3. Seeing that the Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange covers only one of the channels of mass communication, whilst the draft declaration under consideration at the present session is worded so that it refers to the use of all means of mass communication, the reference to the Declaration adopted by the General Conference of Unesco at its seventeenth session should be deleted from the seventh preambular paragraph.

7. DRAFT RESOLUTION submitted by HUNGARY (This proposal was received by the Secretariat on 31 October 1974).

15. Article VI of the draft declaration should be worded as follows:

"States should exercise very great care and conscientiousness in endeavoring to ensure that the use of the mass media is directed towards the education of young people. In conformity with the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, it is incumbent upon States to train yound people in a spirit of peace, justice, freedom, mutual respect and understanding, with a view to securing for every individual and every people equal rights, social progress, international peace and security".

8. DRAFT RESOLUTION submitted by the MONGOLIAN PEOPLE'S REPUBLIC (This proposal was received by the Secretariat on 31 October 1974).

1. Amend the wording of Article X of the draft declaration as fol-

lows:

"States are responsible for the activities in the international sphere of all mass media under their jurisdiction. Mass media may not be used on the territory of foreign States except with the agreement of the Government of those States, which have the right, in accordance with the principles of the United Nations Charter, to take measure to prevent the illegal use of the mass media".

9. DRAFT RESOLUTION submitted by BULGARIA (This proposal was received by the Secretariat on 2 November 1974).

1. Delete Article VII of the Draft Declaration.

2. In Article VIII of the Draft Declaration delete the words: "... promote, by international agreements and national legislation, the economic and social independence of information personnel, and...".

10. DRAFT RESOLUTION submitted by UNION OF SOVIET SOCIALIST REPUBLICS (This proposal was received by the Secretariat on 2 November 1974).

1. Complete and amend paragraph 1 of Article V of the Draft Declaration as follows:

"Any incitement to racial discrimination, acts of violence or encouragement of such acts against any group of persons because of their race, colour or ethnic origin is to be shunned. For this purpose, legislative action might be envisaged without however hampering the development of exchanges through the mass media as defined in international instruments and agreements".

2. Add a new paragraph 2 to Article V of the Draft Declaration, renumbering the paragraphs accordingly:

"States shall be obliged to take all necessary steps, including legal action, to prevent supra-national bodies from spreading, in the territories of States, propaganda incompatible with the principles of the United Nations Charter and this Declaration".

The original paragraph 2 of Article V to become paragraph 3.

11. DRAFT RESOLUTION submitted by CUBA (This proposal was received by the Secretariat on 2 November 1974).

Article II. 1. The right to use the mass media in order to promote human rights and fundamental freedoms, without subjection to discrimination of any kind, and in order to prevent the dissemination of material offensive to States and peoples and their laws, customs and traditions should be guaranteed, and the widest possible facilities for doing so should be afforded, bearing in mind the purposes and principles of the Charter of the United Nations.

2. States should strictly comply with the obligation to respect equality of sovereignty, territorial integrity and non-interference in the affairs of other States, which is an essential condition for the use of the mass media and a prerequisite for the peaceful coexistence of nations.

ANNEX VII

Resolution No. 4.111 adopted by the General Conference at its eighteenth session, 1974, Paris.

The Director General is authorized:

(a) in order to promote the circulation of information and international exchanges in the fields of education, science and culture:

(i) to facilitate the two-way flow of news through co-operative measures, and in particular by promoting regional news agencies;

(ii) to help develop the periodical press in the developing countries so as to meet the needs of these countries for scientific and technological information and lifelong education;

(b) in order to further the observance of adequate professional standards in the use of the mass media:

(i) to prepare with a view to strengthening international understanding and world peace, guidelines for national codes of ethics designed to promote the sense of responsibility which should accompany the full exercise of freedom of information, including those principles of democratization in the use of the media of mass communication that ensure this, and to encourage their application by national media councils;

(ii) to convene an intergovernmental meeting of experts (category II) to prepare, in the light of the draft text contained in document 18 C/35 and the proposed amendments to it, a draft declaration on fundamental principles governing the use of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid, for submission to the General Conference at its nineteenth session;

(c) in order to facilitate the international circulation of persons and materials:

(i) to continue to publish Study Abroad;

(ii) to enlist the support of competent international organizations for measures designed to facilitate the circulation of educational, scientific and cultural materials.

ANNEX VIII

(Documents No. COM-75/CONF.201/DRs 1-26)

Amendments to 18 C/35

Proposed by the Intergovernmental Meeting of Experts to Prepare a Draft Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid (Unesco House, Paris, 15-22 December 1975).

1. PROPOSED AMENDMENT submitted by PERU.

The following paragraph to be inserted between the fourth and fifth paragraphs of the preamble:

"Recalling the Declaration and the Programme of Action on the Establishment of a New International Economic Order (resolutions 3201 (S-VI) and 3202 (S-VI) of the General Assembly), and the Charter of Economic Rights and Duties of States (resolution 3281 (XXIX) of the General Assembly), laying down the bases for a new international economic order, through which it is hoped to create a new system of international economic relations based upon equity, sovereign equality, interdependence, common interest and co-operation among all States, which may help to strengthen decisively peace and international understanding".

The following paragraph to be added at the end of Article IV:

"3. Similarly, as a means of contributing effectively to the strengthening of peace and international understanding, the mass media have a duty to make widely known among the peoples of the world the objectives of equity, sovereign equality, interdependence, common interest and co-operation among all States, on which, in accordance with the resolutions adopted by the United Nations General Assembly, the foundations of a new international economic order are based".

2. PROPOSED AMENDMENT submitted by FRANCE.

Article I. 1. The mass media in disseminating information and opinion have a responsibility to do so in a manner which is compatible with the mutual respect of the rights and dignity of States and peoples, of individuals and their private lives, and in accord with the principles set out in the Universal Declaration of Human Rights.

2. Subject to adequate protection for the principles of freedom of speech and freedom of the press, it is incumbent upon States to encourage mass media to act in conformity with the principles and standards of the Charter of the United Nations and the Universal Declaration of Human Rights so as to strengthen peace and international understanding and combat war propaganda, racism and apartheid.

Article II. In order to enable the public to ascertain facts and to appraise events independently, the right to seek, receive and transmit information should be assured, and the widest possible facilities afforded, bearing in mind the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights.

Article III. Since a freer flow and wider exchange of news are fundamental to the strengthening of peace and international understanding, States and information media in each country have the right to diffuse reports of national events to others beyond their border. By ensuring that the aims, aspirations, needs and culture of each country are reported to others, mass media promote the broadening of international co-operation, understanding and mutual respect, the reduction of tensions and the settlement of differences and disputes between States by peaceful means.

Article IV. It is a responsibility of the mass media to promote greater knowledge on the part of the peoples of the world of the evils attendant upon war, violence, political persecution and other forms of national, racial or religious hatred.

Delete paragraph 2.

Article V. The voices of those unable to be heard within their own territory because of the repression brought about by apartheid or by political, racial or religious persecution should be given expression through the mass media.

Article VI. The mass media have a special responsibility to youth and with regard to their education and training. It is consonant with Article 26 of the Universal Declaration of Human Rights for the media to promote, particularly among youth, the full development of the human personality, the strengthening of respect for human rights and fundamental freedoms and a spirit of understanding, tolerance and friendship among all nations, racial or religious groups.

Article VII. (Amendment not applicable to English text).

Article VIII. It is incumbent upon States to encourage the development of responsible national mass media and to foster their technological independence.

Article IX. No change.

Article X. No change.

Article XI. No change.

3. PROPOSED AMENDMENT submitted by CANADA.

1. Add new paragraph to Article II, renumbering paragraphs accordingly.

"States should make it their aim to facilitate the freer and wider dissemination of information of all kinds, by encouraging distribution agreements with media organizations, improving the access by the public to printed publications, and encouraging the wider showing and broadcasting of recorded and filmed information from other countries".

2. Add new paragraph to Article VIII, renumbering paragraphs accordingly.

"To improve the conditions under which journalists from one state exercise their profession in another state, it is incumbent on states, in regard to such journalists, to facilitate the granting of visas, ease travel arrangements, increase opportunities for personal communication, grant the right to import any necessary technical equipment and enable them to transmit completely, normally and rapidly the results of their professional activity to the information organs they represent for the purpose of publication or of broadcasting".

4. PROPOSED AMENDMENT submitted by the USSR.

First preambular paragraph: after the words "such international agreements as may be necessary" amend the wording as follows, in order to shorten the previous USSR amendment:

"to promote the exchange of information by word and image at both multilateral and bilateral level, the sovereignty of each State being fully and absolutely respected,".

After the seventh preambular paragraph add a new paragraph as follows:

"Considering that the mass media are of great importance for creating an atmosphere of international confidence and mutual respect in conformity with the obligation to abstain from incitement to aggressive wars or any use or threat of force incompatible with the aims of the United Nations, in the interests of strengthening peace and mutual understanding between peoples and contributing to international detente and the spiritual enrichment of the human personality without distinction as to race, sex, language or religion,".

5. PROPOSED AMENDMENT submitted by the U.S.A.

Preamble: Paragraph 10 should read as follows:

"Considering further that full account must be taken of the dif-

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ferences among cultures and of the desirability of preserving such differences as part of the common heritage of mankind".

Article I: Paragraph 2 should read as follows:

"In the exercise of the rights of freedom of speech and freedom of the press, the mass media should act consistently with the goals of strengthening peace and international understanding, of eliminating war propaganda and apartheid, and of advancing respect for human rights in conformity with the principles and standards of the Charter of the United Nations and of the Universal Declaration of Human Rights".

Article IV: To read as follows:

"The mass media should avoid any encouragement of the evils of war, violence, apartheid, disrespect for human rights, and other forms of hatred".

Article V: Paragraph 1:

In sentence 1 after the word "discrimination", insert the words "which may lead to threats or...". In sentence 2 after the word "envisaged" substitute "consistent with the respective constitutional systems of States and with full protection for the freedom of information as defined in international instruments and agreements".

Paragraph 2, the text should read as follows:

"Voices unable to be heard within their own territories because of apartheid or other repressive laws, customs or governmental actions should be given the opportunity for expression through the mass media".

Article VI: The first sentence should read as follows:

"The mass media should have special concern for youth and for the dissemination of their views".

Article VIII: The text should be amended along the following lines:

"In order to encourage the development of responsible mass media and to encourage conditions conducive to the exercise of freedom of speech and of the press, it is incumbent upon those States which operate mass media to promote, by international agreements and national legislation, the economic, social and political independence of information personnel, and help ensure that the independent mass media have the technical facilities required to carry out their separate role".

6. PROPOSED AMENDMENT submitted by ROMANIA

1. At the end of the second preambular paragraph, add:

"and in other documents of the Organization".

2. In Article I, paragraph 2, line 3, replace the words "principles and standards of the Charter" by the words "principles and aims of the Charter".

3. Article VI to read as follows:

"The mass media have a special and very responsible role with regard to the education of young people in a spirit of tolerance and friendship without regard to race, nationality or creed, and States must encourage them to act in accordance with the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples".

7. PROPOSED AMENDMENT submitted by SWITZERLAND.

1. In the ninth preambular paragraph, beginning "Considering also that the exercise", delete the words "and the dignity of nations, and,".

2. At the end of the same paragraph replace the words "nationality or creed" by "nationality, creed or conviction".

3. In Article I, paragraph 1, delete the words "compatible with the mutual respect of the rights and dignity of States and peoples, and".

4. At the end of the same paragraph add the words "and Article 19 of the International Covenant on Civil and Political Rights".

8. PROPOSED AMENDMENT submitted by CUBA.

In Article III, replace the last full stop by a semicolon and add the following:

"the condemnation of the inhumanities against which this Declaration is directed implies, a moral sanction against those organs of the mass media which, as at the present time, are instruments of the major transnational exploitive consortia, the acknowledged allies of those who convey the most retrograde and shameful ideas among the world community".

Add a second paragraph to Article X, worded as follows:

"The abetment and encouragement of war-mongering and racist propaganda and apartheid, broadcast with impunity in vast regions of the world by mass media under the control of powerful transnational economic consortia, are condemned".

9. PROPOSED AMENDMENT submitted by ITALY, FRANCE, BULGARIA, USSR.

The following new paragraph to be inserted after the seventh paragraph of the Preamble:

"Noting with satisfaction the good results achieved in the area of international detente and, in particular, the contribution to this process made by the Conference on Security and Co-operation in Europe".

10. PROPOSED AMENDMENT submitted by SWEDEN, DENMARK, NORWAY, FINLAND,

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FEDERAL REPUBLIC OF GERMANY, NETHERLANDS, BELGIUM, FRANCE, ITALY, UNITED KINGDOM, SWITZERLAND.

To replace alinea 2 of Article I by the following wording:

2. Subject to adequate protection for the principles of freedom of expression and information, States should make it their aim to facilitate the freer and wider dissemination of information through the mass media in conformity with the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

11. PROPOSED AMENDMENT submitted by YUGOSLAVIA.

1. The following paragraph to be inserted after the fourth preambular paragraph, referring to resolution 110 (II):

"Recalling all the resolutions of the United Nations General Assembly, and more particularly resolutions 1904, 3151 and 3379 on the elimination of all forms of racialism and racial discrimination".

2. The tenth preambular paragraph to be amended to read as follows:

"Considering also that the exercise of the right to freedom of information entails special responsibilities and duties for persons and institutions which disseminate information, and for their professional associations...".

3. A new preambular paragraph to be inserted as the eleventh paragraph:

"Considering also that the exercise of the right to freedom of information places on them special responsibilities and the duty to use all their abilities and opportunities to encourage the mass media to act in accordance with the aims and principles of the United Nations Charter so as to maintain and strengthen peace and international understanding and to combat war propaganda, racialism and apartheid".

12. PROPOSED AMENDMENT submitted by ARGENTINA.

Article I (additions underlined): 1. line 3: ... and dignity of States, peoples and individuals, and in accord...

2. last line: ... racism, apartheid, violence and other forms of hatred.

Article IV: 1. last line: (additions underlined): ... apartheid and other forms of national, racial, religious or ideological hatred.

2. The dissemination of reports justifying or stimulating these evils is condemned.

Article V: 1. Any incitement to racial discrimination, aggression or hatred against any group of persons because of their race, colour, ethnic origin or ideology or to the commission of acts of violence in general is to be shunned. For this purpose...

Article VI: States and the mass media ... youth and for their education and training and the dissemination of their concerns and aspirations. It is consonant ... racial, religious or political groups.

13. PROPOSED AMENDMENT submitted by the USSR.

Articles I and II to be worded as follows:

Article I: "Each States shall furhter the use of the mass media for the purposes of strengthening peace and international co-operation and combating war propaganda, racism and apartheid, acting in a spirit of mutual respect for the rights and dignity of States and peoples, in full accord with the principles of international law, including the United Nations Charter.

Article II: States shall encourage and develop both multilateral and bilateral exchanges concerning the use of the mass media in the field of culture, science and education on the basis of equality of rights, mutual advantage and non-interference in each other's affairs, in accordance with the Constitution and other laws and regulations in force in each country, and taking into account their customs and traditions, with the aim of developing feelings of friendship and mutual respect among nations and with a view to the spiritual enhancement of man, without regard for race, sex, language or religion".

Article III: To read as follows: "Since the international exchange of information is fundamental to the strengthening of peace and international understanding, States and information media have the right to diffuse reports of national events beyond their borders. Exchange between countries of information concerning the aims, aspirations, needs and culture of each nation promotes the broadening of international co-operation and understanding, the reduction of tension in international relations and the settlement of differences and disputes by peaceful means".

14. PROPOSED AMENDMENT submitted by UKRAINE

Article IX. Insert at the beginning of the Article the words: "States recognize that", and continue the text with the earlier amendment submitted by the delegation of the Ukrainian SSR (document 18 C/COM/DR.3).

15. PROPOSED AMENDMENT submitted by ALGERIA.

Article III. Add the following paragraph: In order that the two-way flow of information may become a reality for the whole of the international community, Unesco, in collaboration with the other agencies of the United Nations, shall lend its support to the building up and development of the basic national machinery for the dissemination of information.

A special effort shall be made on behalf of the developing countries, so as to correct the existing disequilibrium in the circulation of information from these countries.

16. PROPOSED AMENDMENT submitted by SWEDEN.

Amend the wording of Article II as follows:

In order to enable the public to ascertain facts and appraise events, the right for the mass media to seek, receive and transmit information should not be hampered by economic or legislative impediments.

17. PROPOSED AMENDMENT submitted by YUGOSLAVIA.

The following paragraphs to be added to the operative part of the resolution, Article I of the Draft Declaration.

1. It is incumbent on those working in mass media institutions to be mindful, in the exercise of their profession, of their responsibility devolving upon them and of the need to respect the principles and values of co-operation and of international understanding, particularly when addressing themselves to other peoples and when speaking, in their own countries, about the life of others. This sense of responsibility should be displayed particularly in situations of international tension and conflict.

2. It is incumbent on professional bodies and associations to define and promote standards of professional ethics, bearing in mind the role of communication in relations between peoples and supporting their members in the responsible exercise of their profession.

3. International co-operation, and the promotion of peace and international understanding require that States take all necessary measures to encourage and develop the use of the mass media on the basis of respect for the rights and dignity of all peoples and the principles of international law. States are required above all to ensure that institutions specializing in foreign news do not adopt a position incompatible

with respect for the sovereignty and dignity of other peoples.

18. PROPOSED AMENDMENT submitted by LIBERIA.

Addition to Article VIII: 2. In this respect, and in order to make Article II of this declaration effective, calls on the developed nations to give every possible assistance to the developing nations to improve their technical skills by providing ample training opportunities in the mass media and in upgrading their technological standards for diffusion of information.

19. PROPOSED AMENDMENT submitted by ITALY and FRANCE.

Article II (new text): "In order to enable the public to ascertain facts and to appraise events independently, it is desirable to guarantee the right to seek information, to promote freer and broader dissemination thereof, to encourage co-operation with other countries in the field of communication, and to improve the conditions in which journalists of one State exercise their profession in another States, bearing in mind the principles contained in the Charter of the United Nations and in the Universal Declaration of Human Rights".

20. PROPOSED AMENDMENT submitted by PERU.

The phrases underlined to be added to Article I, paragraph 2:
2. Subject to adequate protection for the principles of freedom of speech and freedom of the press, it is incumbent upon States to encourage mass media and, in particular, international news agencies, to act in conformity with the two principles and standards of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration so as to strengthen peace and international understanding and combat war propaganda, racism and apartheid.

21. PROPOSED AMENDMENT submitted by SWEDEN.

Amend the wording of Article VI as follows:

The mass media can themselves assume responsibility to youth and to groups suffering from the structural inequalities of society and for the dissemination of their views.

Add the underlined words to the first sentence of Article III:

Since the two-way flow of news is fundamental to the strengthening of peace and international understanding, mass media in each country have the right both to diffuse within their borders reports of international events and to diffuse reports of national events beyond those borders.

22. PROPOSED AMENDMENT submitted by JAPAN.

Article X to be deleted.

23. PROPOSED AMENDMENT submitted by SENEGAL and YUGOSLAVIA.

Replace paragraph 2 of Article V by the following: The voices of those unable to be heard within their own territory because of repression, apartheid and other forms of racial discrimination, colonialism, neo-colonialism, aggression and foreign occupation, should be given expression through the mass media.

24. PROPOSED AMENDMENT submitted by BELGIUM.

Article VIII. In order to encourage true freedom of expression and of information, it is important to make the mass media independent. It is incumbent on States to promote the independence of communicators through national legislation, and to help ensure that the media have the human, technical and economic resources necessary to carry out their tasks.

25. PROPOSED AMENDMENT submitted by YUGOSLAVIA and GERMAN DEMOCRATIC REPUBLIC.

Paragraph 9 - Preamble

Considering also that the international exchange of information places special responsibilities on persons and institutions who disseminate information as well as on their professional organizations to strive in good faith to ensure the fullness and accuracy of the facts reported and to respect the rights and the dignity of nations and of groups and individuals without distinction as to race, sex, nationality or creed and entails also the responsibility and duty on the States to use all their constitutional means to encourage the mass media to act in accordance with the aims and principles of the United Nations Charter so as to maintain and strengthen peace and international understanding and to combat war propaganda, racialism and apartheid.

26. PROPOSED AMENDMENT submitted by HUNGARY.

Article IX. It is specially important to ensure that the mass media are used for the education of young people in conformity with the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, it being incumbent upon States to encourage among young people a spirit of peace, justice, freedom, mutual respect and understanding.

ANNEX IX

(Document No. 19 C/91)

Draft Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid

Summary

This Draft Declaration, presented to the General Conference in accordance with 18 C/Resolution 4.111, was prepared by an intergovern-

mental meeting of experts convened pursuant to the same resolution. The text of the Draft Declaration will be found in Part A to this document and the report of the meeting in Part B.

(This text of the Draft Declaration was prepared by an intergovernmental meeting of experts (category II) held at Unesco House, Paris, from 15 to 22 December 1975, pursuant to resolution 4.111 adopted by the General Conference at its eighteenth session. In addition to the text of a Draft Declaration, which is reproduced in Part A, the present document contains, in Part B, the report adopted by the intergovernmental meeting of experts to which are appended the opening address delivered by Mr. John E. Fobes, Deputy Director-General, and the list of participants.)

PART A

DRAFT DECLARATION ON FUNDAMENTAL PRINCIPLES GOVERNING THE USE OF THE MASS MEDIA IN STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING AND IN COMBATING WAR PROPAGANDA, RACISM AND APARTHEID

PREAMBLE

The General Conference of the United Nations Educational, Scientific and Cultural Organization meeting in Nairobi at its nineteenth session in 1976,

1. Recalling that by its Constitution Unesco is charged with contributing to peace and security by promoting collaboration among the nations through education, science and culture, and that, to realize this purpose, the Organization will collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of

mass communication and to that end recommend such international agreements as may be necessary to promote the freer and wider exchange of information by word and image on both a multilateral and bilateral basis, the sovereignty of States being fully respected,

2. Recalling the purposes and principles of the United Nations, as specified in the Charter, as well as other documents of the Organization,

3. Recalling the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, and the International Covenant on Civil and Political Rights, adopted by the General Assembly of the United Nations in 1966,

4. Recalling resolution 110 (II) of the General Assembly of the United Nations adopted in 1947 condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression and the International Convention on the Suppression and Punishment of the Crime of Apartheid adopted by the General Assembly of the United Nations in 1973,

5. Recalling all the resolutions of the United Nations General Assembly, and more particularly resolutions 1904, 3151 and 3379 on the elimination of all forms of racialism and racial discrimination,

6. Recalling the Declaration and the Programme of Action on the Establishment of a New International Economic Order (resolutions 3201 (S-VI) and 3202 (S-VI) of the General Assembly), and the Charter of Economic Rights and Duties of States (resolution 3281 (XXIX) of the General Assembly), as regards a new international economic order, through which it is hoped to create a new system of international economic relations based upon equity, sovereign equality, common interest and co-operation among all States, which may help to strengthen decisively peace and international understanding,

7. Recalling resolution 9.12 adopted by the General Conference at

its fifteenth session reiterating Unesco's objective to help to eradicate colonialism and racialism,

8. *Taking account* of Article 4 of the International Convention on the Elimination of all Forms of Racial Discrimination, whereby States Parties to the Convention condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination,

9. *Bearing in mind* the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of Unesco at its fourteenth session,

10. *Noting with satisfaction* the positive results achieved in the area of international détente and, in particular, the contribution to this process made by the Conference on Security and Co-operation in Europe,

11. *Considering* that the mass media are of great importance and have the responsibility for creating an atmosphere of international confidence and mutual respect in conformity with the obligation to abstain from incitement to aggressive wars or any use or threat of force incompatible with the aims of the United Nations, in the interests of strengthening peace and mutual understanding between peoples and contributing to international détente and the spiritual enrichment of the human personality without distinction as to race, sex, language or religion,

12. *Considering* that freedom of expression, information and opinion are fundamental human rights and that the free interchange of information and opinions, both in the national and in the international spheres, is essential to the cause of peace and achievement of political, social, cultural and economic progress,

13. *Considering* the importance of utilizing all means of mass commu-

nication for the support and reinforcement of international peace and for the development of friendly relations between States, irrespective of their political, economic or social systems, in the spirit of respect for human rights and fundamental freedoms,

14. Considering also that the international exchange of information places special responsibilities on persons and institutions who disseminate information as well as on their professional organizations to strive to ensure the fullness and accuracy of the facts reported and to respect the rights and the dignity of nations and of groups and individuals without distinction as to race, sex, nationality or creed and entails also the responsibility and duty of the States to use all their constitutional means to encourage the mass media to act in accordance with the aims and principles of the United Nations Charter so as to maintain and strenghten peace and international understanding and to combat war propaganda, racialism and apartheid,

15. Considering further the right of countries and peoples to protect and preserve their cultures as well as the differences existing among those cultures as part of the common heritage of mankind,

16. Noting the rapid development of the mass media which constitute one of the key elements in modern scientific and technological progress, and play an ever-increasing role in the intellectual life of society and the shaping of public opinion,

17. Proclaims on this day of 1976 this Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid.

ARTICLE I

1. States should encourage the freer and wider dissemination of information through the mass media for the purposes of strengthening peace and international understanding and combating war propaganda,

racism and apartheid, acting in a spirit of mutual respect for the rights and dignity of other States, peoples and individuals, in full accord with the principles of international law, including the United Nations Charter.

2. Subject to adequate Constitutional protection of the principle of freedom of information, the mass media, both public and private, and those responsible for dissemination of information, in particular the international news agencies, should act in conformity with the principles of the Charter of the United Nations and of this Declaration.

ARTICLE II

1. States shall encourage and develop both multilateral and bilateral exchanges concerning the use of the mass media in the fields of culture, science and education on the basis of equality of rights, mutual advantage and non-interference in each other's affairs, in accordance with the Constitution and other laws and regulations in force in each country, and taking into account their customs and traditions, with the aim of developing feelings of friendship and mutual respect among nations and with a view to the spiritual enhancement of man, without regard for race, sex, language or religion.

2. In order to enable the public to ascertain facts and to appraise events objectively, it is necessary to encourage co-operation with other countries in the field of communication and to improve the conditions in which journalists of one State exercise their profession in another State, on the basis of reciprocity, bearing in mind the principles set forth in this Declaration.

ARTICLE III

Since the international exchange of information is fundamental to the strengthening of peace and international understanding, States and information media have the right to diffuse reports of national events beyond their borders. Exchange between countries of information concerning the aims, aspirations, needs and culture for each nation promotes the broadening of international co-operation and understanding, the reduction of tension in international relations and the settlement of disputes by peaceful means.

ARTICLE IV

Special support shoud be given, on the basis of appropriate agreements to the establishment and furthering of national mass media in the developing countries and to the training of their personnel, so as to correct the existing disequilibrium in the circulation of information from these countries and to make a balanced exchange of information a reality for the whole of the international community.

ARTICLE V

It is a responsibility of the mass media to avoid any justification or encouragement of the evils of war, violence, apartheid and other forms of national, racial or religious hatred.

ARTICLE VI

Any incitement to racial discrimination which my lead to threats or acts of violence or encouragement of such acts against any group of persons because of their race, colour or ethnic origin is to be shunned. For this purpose, legislative action might be envisaged consistent with the respective Constitutional systems of States and with relevant international instruments and agreements.

ARTICLE VII

Similarly, as a means of contributing effectively to the strengthening of peace and international understanding, the mass media have a duty to make widely known among the peoples of the world the objectives of equity, sovereign equality, interdependence, common interest and co-operation among all States, on which, in accordance with the resolutions adopted by the United Nations General Assembly, the foundations of a new international economic order are based.

ARTICLE VIII

The voices of those struggling against apartheid and other forms of racial discrimination, colonialism, neo-colonialism and foreign occupation by aggression, and unable to be heard within their own territory, should be given expression through the mass media of other countries with due respect for the sovereignty of the host countries.

ARTICLE IX

It is specially important to ensure that the mass media are used for the education of young people in conformity with the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, it being incumbent upon States to encourage among young people a spirit of peace, justice, freedom, mutual respect and understanding.

ARTICLE X

States, institutions or groups which consider that the circulation of erroneous news reports has seriously impaired their action with a view to the strengthening of peace and international understanding, and their efforts to combat war propaganda, racism and apartheid, should be able to rectify such news reports through the mass media.

ARTICLE XI

It is the duty of professional organizations in the field of mass communication to define and promote standards of professional ethics on a national and international level and to support their members in the responsible exercise of their profession.

ARTICLE XII

States are responsible for the activities in the international sphere of all mass media under their jurisdiction.

ARTICLE XIII

The principles of this Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid shall be applied with due regard for human rights and fundamental freedom.

PART B

Report of the Intergovernmental Meeting of Experts to Prepare a Draft Declaration on Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racism and Apartheid (Unesco House, Paris, 15-22 December, 1975)

I. Introduction

The intergovernmental meeting of experts to prepare a draft declaration on fundamental principles governing the use of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid was held at Unesco House, Paris, from 15 to 22 December 1975.

Purpose of the Meeting

The Meeting was held in conformity with resolution 4.111 adopted by the General Conference at its eighteenth session, under the terms of which "the Director-General is authorized: ... (b) ... (ii) to convene an intergovernmental meeting of experts (Category II) to prepare, in the light of the draft text contained in document 18 C/35 and the proposed amendments to it, a draft declaration on fundamental principles governing the use of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid, for submission to the General Conference at its nineteenth session".

The text of the draft declaration prepared by the Meeting appears as part A of the document 19 C/91.

Background

In compliance with 17 C/Resolution 4.113 (3), the Director-General prepared and submitted to the General Conference at its eighteenth session the text of a draft declaration of fundamental principles concerning the role of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid (document 18 C/35). In the preparation of this text, account had been taken of the views of a meeting of experts (Category VI) held at Unesco House from 11 to 15 March 1974 and attended by experts from 12 countries and by representatives of the United Nations and observers from the United Nations and observers from certain international non-governmental organizations. In accordance with the rules governing Category VI meetings, the experts participated in their private capacity and not as representatives of their respective governments. The meeting had before it a preliminary draft declaration, as a basis for discussion. In the course of their detailed study of that first draft, the participants made a considerable number of suggestions which were embodied in a report to the Director-General (document COM-74/CONF.616/5). The Director-General took the report of the meeting of experts into consideration in preparing the text which he submitted to the General Conference at its eighteenth session.

The General Conference considered the draft declaration and various amendments to that draft which were proposed by Member States (18 C/COM/

DR.1 to 11). As stated in the report of Commission IV (Communication) of the General Conference (18 C/123), which gives a summary of the discussions, "there was general agreement that the draft declaration in document 18 C/35 and the proposed amendments needed to be studied in depth".

Consequently, the General Conference adopted the above-mentioned 18 C/Resolution 4.111, in pursuance of which this intergovernmental meeting of experts was convened.

Opening of the Meeting

The Meeting was opened by Mr. John E. Fobes, Deputy Director-General, who welcomed the delegates, representatives and observers on behalf of the Director-General, and described the background of the meeting. The text of the Deputy Director-General's opening address is attached to the present report.

Election of Officers

The Meeting elected the following officers:

Chairman :	Mr. Josef Grohman	(Czechoslovakia)
Vice-Chairmen :	Mr. Saif Rahman Katil	(Afghanistan)
	The Honourable Henry B. Cole	(Liberia)
	Dr. Issam Hayani	(Syria)
	H.E. Dr. Arturo Uslar Piétri	(Venezuela)
Rapporteur :	H.E. Mr. Jacques Vermer	(Belgium)

On assuming the Chair Mr. Grohman thanked the Meeting for its confidence in electing him and appealed to all to assist him - in a spirit of give-and-take - in the exacting task ahead.

Participants

Governmental experts from 85 Member States of Unesco took part in the Meeting with the right to vote. Four Member States and one Non-Member States attended as observers. The Palestine Liberation Organization attended as an observer. Organizations of the United Nations system sent representatives. Other intergovernmental organizations and international non-governmental organizations sent observers. A full list of participants is attached to the present report.

Documents

The Meeting adopted its Agenda (COM-75/CONF.201/1), Rules of Procedure (COM-75/CONF.201/2) and a timetable of meetings (COM-75/CONF.201/INF.1). Document COM-75/CONF.201/3, which reproduced the text of a draft declaration and the proposed amendments to it placed before the General Conference at its eighteenth session (18 C/35 and 18 C/COM/DR.1 to 11), was presented by the representative of the Director-General. Document COM-75/CONF.201/4, a background report which described the main features of work done over the years by the United Nations and Unesco on issues related to the draft declaration before the present Meeting, was introduced by the consultant. Professor Hilding Eek (Sweden), who had helped to prepare it. Lastly, the Meeting had before it a number of proposed amendments (COM-75/CONF.201/DR.1 to 26) submitted in the course of its proceedings.

Working Party

The governmental experts decided to study the draft declaration contained in document COM-75/CONF.201/3 paragraph by paragraph, taking into account, whenever appropriate, the proposed amendments submitted by Member States. The Meeting established a Working Party to attempt to amalgamate, or to set out as alternatives, the proposed amendments and points of view put forward in the course of its discussions.

On the proposal of the Bureau, the following Member States were designated as members of the Working Party,* under the chairmanship of the Honourable Henry B. Cole (Liberia): Algeria, Argentina, Bulgaria, Federal Republic of Germany, Indonesia, Iran, Kenya, Lebanon, Peru, Senegal, Union of Soviet Socialist Republics, United States of America.

II. GENERAL DISCUSSION

In opening the general discussion the Chairman congratulated Professor Eek for his work on the background document. In the discussion which followed 18 delegations and two observers took part.

A number of delegations thought that the text of the draft declaration which the Meeting was called upon to prepare should be drawn up as a document dealing with the use of all the means of mass communication. This would render superfluous any reference in the text to a particular method of mass communication. It was also emphasized that this Meeting of experts was bound to take into consideration the work on direct television broadcasting done by the United Nations Committee on the Peaceful Uses of Outer Space. Most speakers underlined the powerful impact and the extended influence of the mass media in the modern world. While stressing differing aspects of this impact, they saw it was the background consideration against which the Meeting's deliberations would take place. Speakers referred to the persuasive power of the media in favour of the ideals of peace, and the spiritual enrichment of peoples, their corrective influence in combating aggressive or discriminatory propaganda, their liberating and developing potential through the free exchange of information and ideas, and the opportunities they provide for the mutual appreciation of cultures. The damage resulting from the misuse of the media was also strongly emphasized.

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* The Working Party held six meetings. Those members of the Working Party who did not take part in its work, are referred to as not having done so in the report.

Many speakers expressed their hope of seeing the Meeting adopt the text of a draft declaration for submission to the General Conference of Unesco at its nineteenth session, though it was recognized by some that a consensus might be difficult to obtain. A majority also felt that the prerequisite for consensus was concentration upon the most basic issues.

The texts of the draft declaration and the proposed amendments contained in document COM-75/CONF.201/3 were also commented upon by most speakers. Some found these texts suggestive of a range of specific principles which could be enunciated for the practical guidance of governments and the mass media, others considered them over-specific or even inconsistent and contradictory in their detailed coverage. One speaker felt the draft declaration should be enriched by the inclusion of further provisions and references.

A number of delegates, while expressing their readiness to reach constructive agreement, at least on basic points of convergence, nevertheless had some doubts as to the value or feasibility of such declarations, considering that any attempt to override genuine differences among peoples or to coerce others to abandon their basic philoshophies would be inadmissible, and that it would be unrealistic to call for the affirmation of principles which their governments could not endorse. Some of these speakers pointed out that in their countries the government did not exercise direct power over the media. Two speakers felt that a declaration on principles governing the use of the media would only be useful if it had a strong current of international opinion behind it. One delegate noted that Unesco already had specific programmes designed to achieve similar objectives. A number of delegations expressed the opinion that States could do much to ensure that the mass media were used to support and strengthen peace and international understanding in the struggle against racism and apartheid, regardless of who might be in control of these media, and considered that the adoption of such a declaration would be an important step in this direction.

A number of delegations, stressing the powerful influence of mass communication on public opinion, drew attention to its importance in fostering peace and trust in international relations and promoting increased exchanges and mutual cultural enrichment among States, including those with differing social systems. It was noted that such aims were consonant with Unesco's objectives in working towards international co-operation and national development in the various fields of its competence. Several of these speakers considered that the Meeting had before it very clear terms of reference and hoped that agreement would be reached by concentrating on essential issues which could be expressed in precisely-worded principles for the more effective use of the mass media, irrespective of the question of the ownership of the media. Such agreement, it was added, should of course be based upon such generally accepted principles of international law as respect for national sovereignty and non-interference in the internal affairs of other States. A number of delegations noted the positive results achieved in the sphere of international détente. In this connexion, these delegations attached great importance to the recent Helsinki Conference on Security and Co-operation in Europe, which was seen by some as representing a positive - even historic - step in the direction of international understanding and détente. Other delegates, while recognizing the usefulness of that Conference, nevertheless drew attention to the constructive contribution towards greater justice in international affairs made by conferences held by the countries of the Third World, and in particular by the non-aligned nations, in the context of efforts to establish a new world order.

Part of the discussion revolved around the issues of the freedom of information, on the one hand, and the responsibilities of the States and of the media, on the other. Several speakers observed that these represented two differing philoshophies as to the role of the mass media in society, though there were possibly various points at which they converged. Freedom of speech was seen by these speakers as a right which should be relatively unfettered by government action, which meant that the role of the State and that of the media were to be clearly distinguished. This also meant, one delegate contended, that the State should have the means to guarantee a balanced information flow, the State having the responsibility for the structure of the mass media, not for the content. A number of delegations drew attention to the fact that the Declaration was to be particularly concerned with strengthening peace and international understanding and combating war propaganda, racism and apartheid.

Basic agreement, at international level, to a commitment to the free exchange of information, several delegates noted, had long existed and was expressed in such texts as the Universal Declaration of Human Rights and the Constitution of Unesco, although one speaker pointed out that many newly independent countries had had no part in the formulation of the international instruments cited. Other experts, however, stressed that the principles of freedom of information could not be considered to be commonly accepted in international relations, and that it was applicable to constitutional freedoms, which were normally enshrined in national legislation. Other speakers referred also to the International Covenant on Civil and Political Rights. In defence of the concept of freedom of information it was urged, by one delegate, that instead of inhibiting the capacity of some countries to communicate, the efforts of the international community should be directed towards developing the capacity of all peoples to articulate their views and ideas through the mass media, as a possible means of redressing imbalances in the two-way flow. It was however noted that subsequent to the adoption of the texts cited, there had arisen new concerns in this field - the concern for a two-way flow of information was an example. These texts had also included references to the responsibility of the media. But, these speakers considered, such responsibility could and should be exercised by the media themselves. An observer spoke of the independence of information personnel as a safeguard against abuses and oppression.

Certain delegates felt that each State was responsible for the activity of the media under its jurisdiction. Others were of the opinion that the proper role of the States was to actively stimulate the responsibility of the media, encouraging them to play a positive role in society, through national legislation, the promulgation of professional standards and, in the international sphere, through the adoption of appropriate instruments. In this latter respect several expressed appreciation for the initiatives of Unesco and others referred to the relevant provisions in the main United Nations texts already cited.

The opinion was generally expressed that States had a right to protect their social and cultural integrity and to see that foreign values were not imposed upon them.

For many countries particularly those of the Third World, a number of delegates affirmed, the adoption of international standards would be ineffective unless they tended towards greater international social and economic justice. Communications technology was complex and expensive and tended to be held by monopolies and sectional interests which controlled the nature of information and access to it. In this connexion a delegate from a Third World country stressed the responsibility of the mass information media for promoting among all peoples the objectives on which the new international economic order is based, in virtue of the documents approved by the international community. In particular, he quoted the Declaration and Programme of Action on the Establishment of a New International Economic Order, adopted by the Sixth Special Session of the United Nations General Assembly, and the Charter of Economic Rights and Duties of States. He likewise stressed that the draft declaration which was the subject of the present Meeting should make clear the responsibility of the mass media.

A number of delegations spoke strongly against the misuse of the media, some citing particular cases of what they considered to be distortion or suppression of information and of aggressive, discriminatory or racial propaganda. Some made particular mention of Zionist propaganda which, the observer from the Palestine Liberation Organization considered, was designed to efface the Palestinian collectivity from the map; deny its rights to the land of Palestine and refuse it the right of speech, thus reducing it to the status of a subversive group as had been done with African and Asian liberation movements. In this connexion reference was made by several speakers to resolution 3379, adopted by the General Assembly of the United Nations, on the Elimination of all Forms of Racial Discrimination.

In adopting paragraphs 15 to 25 of this section of the report some delegations wished it to be recorded that the views they had set forth during the general discussion had not been given appropriate expression. Nevertheless, they did not insist that their reservations should be reflected in a further elaboration and redrafting of this section since they considered that they would be able to make these views known at the General Conference.

III. PREPARATION OF A DRAFT DECLARATION

The experts examined the draft declaration and proposed amendments to it (COM-75/CONF.201/3) along with proposed amendments submitted by delegations in the course of the Meeting (COM-75/CONF.201/DR. 1 to 26). A discussion took place on the preamble and on each article of the draft declaration. This discussion is summarized below.* Apart from preambular paragraphs designated as new, the headings below correspond to the relevant preambular paragraphs and articles of the draft declaration contained in document COM-75/CONF.201/3. References in brackets are to proposed amendments affecting the paragraph or article concerned.

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* While listed in some cases as sponsors of proposed amendments, the Member States referred to in paragraph 1, page 86 of this report did not participate in the discussions thereon subsequent to their decision set forth in that paragraph.

Opening paragraph

The Meeting accepted the suggestion that the opening paragraph be brought up to date by referring to the nineteenth session of the General Conference of Unesco, to be held in Nairobi in 1976.

First preambular paragraph (18 C/COM/DR.4(USSR); COM-75/CONF.201/DR.4 (USSR))

The delegate of the Union of Soviet Socialist Republics introduced the second of his delegation's proposed amendments as a simplification of the text of the earlier one.

Second preambular paragraph (COM-75/CONF.201/DR.6 (Romania))

In reply to the proposal by the delegate of Romania that reference be made also to other documents (or instruments) of the United Nations, one delegate noted that not everyone would agree that all other United Nations documents could be taken to interpret the principles of the United Nations as specified in the Charter. Another participant made the comment that only the Charter itself could be said to define the principles of the United Nations and he asked that the proposed amendment be withdrawn. Several speakers proposed the vaguer wording: "other international instruments".

Third preambular paragraph (18 C/COM/DR.6 (Byelorussian SSR))

Some delegates stated that they would have preferred to maintain the wording of the draft declaration which referred to Articles 19 and 26 of the Universal Declaration of Human Rights; others favoured omitting these references.

Fourth preambular paragraph (18 C/COM/DR.6 (Byelorussian SSR))

Introducing the proposed amendment, the delegate of the Byelorussian SSR said the amendment brought the text into conformity with that of resolution 110 (II) of the General Assembly of the United Nations; the omission of the reference to General Assembly resolution 3068 (XXVIII) was justified by the fact that the International Convention on the Suppression and Punishment of the Crime of Apartheid was the more important document.

New preambular paragraph (COM-75/CONF.201/DR.11 (Yugoslavia))

The delegate of Yugoslavia introduced point 1 of his proposed amendment which read as follows:

"The following paragraph to be inserted after the fourth preambular paragraph, referring to resolution 110 (II):

'Recalling all the resolutions of the United Nations General Assembly, and more particularly resolutions 1904, 3151 and 3379 on the elimination of all forms of racialism and racial discrimination',".

In the ensuing discussion 20 delegates took part. Among them was the delegate of Italy, speaking on behalf of the representatives of eight countries of the European Economic Community, who regretted that the inclusion of the reference to resolution 3379 of the General Assembly of the United Nations in the proposed amendment had been allowed to disrupt the spirit of goodwill which had been present in the Meeting and to draw attention away from the subject of the Meeting. The paragraph concerned was unacceptable to those delegations who had not voted for resolution 3379 in the United Nations. Other delegations also opposed the adoption of any text which equated Zionism with racism. A number of other speakers, who had voted for resolution 3379 in the General Assembly of the United Nations, expressed support, in the same spirit, for the paragraph contained in the amendment proposed by the delegation of Yugoslavia. One delegate declared that it was proper that all decisions concerning cultural and social aspects of international relations adopted in the United Nations should also be reflected in the decisions of Unesco. Another speaker expressed surprise at the fact that this paragraph, unlike all the other considered, was to be put to the vote before being referred to the Working Party.

A roll-call vote was requested on point 1 of COM-75/CONF.201/DR.11, which was adopted by 36 votes in favour, 22 against, with 7 abstentions. The votes cast were as follows:

for: Afghanistan, Algeria, Bahrain, Benin , Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Cuba, Egypt, German Democratic Republic, Hungary, Indonesia, Iran, Iraq, Jordan, Lebanon, Libyan Arab Republic, Mali, Mauritania, Mongolia, Oman, Poland, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yemen, Democratic Republic of the Yemen, Yugoslavia;

against: Australia, Austria, Belgium, Canada, Denmark, Ecuador, Finland, France, Federal Republic of Germany, Haiti, Ireland, Israel, Italy, Liberia, Netherlands, Norway, Sweden, Switzerland, United Kingdom, United States of America, Uruguay, Venezuela;

abstentions: Argentina, Colombia, Ghana, Greece, Japan, Peru, Thailand.

The delegate of the Central African Republic stated that since his country had not voted for General Assembly resolution 3379, he wished to withdraw his vote in favour of the amendment proposed by the delegate of Yugoslavia. He wished it to be recorded that his delegation had abstained.

The following delegations were given the floor to explain their votes: Canada, Ecuador, Finland, Iran, Israel, Italy (on behalf of the eight European countries already mentioned), Japan, Senegal, Sweden, Switzerland, United Republic of Tanzania, United States of America, Uruguay and Venezuela.

A number of delegations informed the Chairman by letter that in the light of the vote on point 1 of COM-75/CONF.201/DR.11 they had decided to refrain from further participation in the meeting. These letters were from: Australia, Canada, Israel, Norway, the United States of America and Italy (on behalf of Belgium, Denmark, Federal Republic of Germany, France, Ireland, the Netherlands, the United Kingdom and Italy itself). The letters from the delegations of Italy and the United States of America requested that the texts of their communications should be included in the final report of the Meeting. The Head of the Delegation of Belgium informed the Chairman by letter that as he was no longer in a position to exercise the function of Rapporteur, he was submitting his resignation from that office. At the request of one delegation, it was decided that all of these letters should be reproduced as information documents of the Meeting. The letters appear in documents COM-75/CONF.201/INF.4 to 10.

On the proposal of its Bureau, the Meeting designated the Honourable Henry B. Cole (Liberia), a Vice-Chairman of the Meeting, to fill the office of Rapporteur.

The delegation of Sweden, in answer to a question, informed the Meeting that it was withdrawing the draft amendments it had tabled. The observer of the Palestine Liberation Organization and the observer of the International Council B'nai B'rith, an international non-governmental organization, were also given the floor. Several delegations expressed their regrets at not having been able to take part in the vote on the proposed amendment. The delegate of Congo stated that his delegation was in favour of the amendment proposed by Yugoslavia which was in line with the policy of his country. He also considered that all resolutions adopted by the United Nations General Assembly formed an integral part of mankind's conquests.

The delegations of Austria, Congo, Japan and Venezuela requested that their explanations be incorporated in the present final report.

The delegate of Austria, while recalling that his country had always shown in the United Nations and elsewhere its desire to contribute to world peace and its opposition to colonialism, racism and apartheid, stated that his delegation could not agree to a text which placed Zionism in the same category as racism and which would only serve to aggravate the situation in the Middle East. Such questions, he added, being of a political nature, should be dealt with by the competent United Nations organs and should not be allowed to paralyse the work of Unesco. The delegate of Congo, referring to press reports concerning the absence of certain delegations during the vote on the proposed amendment submitted by Yugoslavia, said that it had been understood that no voting would take place in the course of the Meeting and that it could therefore have been assumed that this proposed amendment would have been discussed on the basis of the principle of consensus and eventually referred for conciliation to the Working Party. He regretted a certain lack of firmness in the conduct of the debates but at the same time felt that the absence of the delegations referred to should not be allowed to detract from the moral significance of the vote on the amendment concerned. The delegate of Japan said that his government, believing that the draft declaration should reflect the widest possible consensus and should respect the universalism of Unesco, considered that a text produced without the participation of countries representing a major view-point on the matter would have no meaning. The delegate of Venezuela said his delegation had voted against the proposed amendment because it believed that such a controversial and aggressive proposal, which had already caused dissension in the United Nations, made the possibility of reaching agreement on a text of universal value utterly remote. For this reason also, he said, his delegation would not be able to vote for the declaration as a whole.

New preambular paragraph (COM-75/CONF.201/DR.1 (Peru))

In presenting the proposed new paragraph to follow the new paragraph proposed by the delegation of Yugoslavia, the delegate of Peru, later to be supported by a number of other speakers, stressed the necessity for international economic justice if peace and understanding were to be ensured. Hence the references, in his proposed amendment, to the Declaration and the Programme of Action on the Establishment of a New International Economic Order and the Charter of Economic Rights and Duties of States. Other speakers noted that their countries had voted against these texts and therefore had reservations concerning the proposal. One delegate would have preferred to replace the words "laying down the bases for" by "regarding". The sponsor of the proposal accepted this change.

Fifth preambular paragraph

There was no discussion on this paragraph.

Sixth preambular paragraph (18 C/COM/DR.4 (USSR))

The proposed amendment was of a purely drafting nature, to bring one of the language versions of this paragraph into line with the original wording of the Article cited.

Seventh preambular paragraph (18 C/COM/DR.6 (Byelorussian SSR))

The sponsor of this proposed amendment suggested that since the present draft declaration covered all the means of mass communication, reference to the declaration concerning satellite broadcasting which was only one of the channels of mass communication, should be deleted. Other speakers supported this view. Some considered that the satellite declaration would soon be obsolete. Another delegate expressed the view that the final decision on the development of law in this area could be left to the United Nations Committee on the Peaceful Uses of Outer Space.

New preambular paragraph (COM-75/CONF.201/DR.9 (Italy, France, Bulgaria, USSR))

The sponsors of this proposed new paragraph to follow the seventh preambular paragraph were supported by several delegates who stressed the importance of the Helsinki Conference on Security and Co-operation in Europe as an example of international understanding and détente. Several African delegates, while not opposing the wording, asked why this Conference which referred to only one region should be specially mentioned. One delegate suggested that the word "good" be deleted since the results had not yet been proven. To this others replied that the Conference was cited as an example and that it was not limited in its scope to Europe. The word "positive" was substituted for the word "good".

New preambular paragraph (COM-75/CONF.201/DR.4 (USSR))

The delegate of the Union of Soviet Socialist Republics introduced a further proposed new paragraph believing it to be a measured text which would be acceptable to all. One delegate asked whether the proposer would consider inserting the word "normal" before "obligation", while another suggested replacing the reference to "détente", already refered to in an earlier paragraph, by "in the interests of strengthening peace...".

Eighth preambular paragraph (18 C/COM/DR.3 (Ukrainian SSR))

The delegate of the Ukrainian Soviet Socialist Republic proposed that this paragraph be replaced by two succinct paragraphs, (a) and (b), stating important principles on which the whole system of international relations was based. In the lengthy discussion which followed some delegates favoured retention of the original eighth preambular paragraph, others (a) and (b), or (b) only, of the new proposal. One delegate found the word "utilizing" in (a) incompatible with the media system in his country.

Ninth preambular paragraph (18 C/COM/DR.5 (German Democratic Republic), COM-75/CONF.201/DR.7 (Switzerland), COM-75/CONF.201/DR.11 (Yugoslavia))

The delegate of the German Democratic Republic, introducing 18 C/COM/DR.5 which modified the ninth preambular paragraph, said that the responsibility of States with regard to the use of the mass media was a concept widely recognized in the United Nations system. Several speakers supported the proposal but others found it unacceptable as restricting the freedom of the media. A proposed amendment submitted by Switzerland to maintain the original paragraph with some small changes in wording had the support of two other delegations. It was noted that the Yugoslav proposal would add a reference to media institutions and professional associations. One delegate expressed surprise that governments which had appended their signatures to the Final Act of the Helsinki Conference should dissent from the amendment proposed by the German Democratic Republic.

Tenth preambular paragraph (COM-75/CONF.201/DR.5 (United States of America))

At an early plenary session the delegate of the United States of America, presenting the proposed amendment to replace the tenth preambular paragraph, stated that the term "rights of audiences" in the draft declaration was vague and therefore inappropriate but he agreed with the basic idea of respect for differences among cultures. Other delegations also expressed their agreement, though some felt that the identity of cultures should be considered before the differences. One asked for the replacement of "must" by "should" in the proposed amendment.

Eleventh preambular paragraph

There was no proposal to amend this paragraph.

New preambular paragraph (COM-75/CONF.201/DR.11 (Yugoslavia))

The delegate of Yugoslavia presented a proposed new paragraph to follow the eleventh paragraph to which, he said, it was closely linked. Several speakers supported the proposal. One asked that the word "States" should not be inserted.

ARTICLE I - (18/COM/DR.5 and 6 (German Democratic Republic); COM-75/CONF.201/DR.2 (France), DR.5 (United States of America), DR.6 (Romania), DR.7 (Switzerland), DR.10 (Denmark, Norway, Finland, Federal Republic of Germany, Netherlands, Belgium, France, Italy, United Kingdom, Switzerland), DR.12 (Argentina), DR.13 (USSR), DR.17 (Yugoslavia), DR.20 (Peru))

The delegates of the German Democratic Republic, France, the United States of America, Romania, Switzerland, Argentina, the Union of Soviet Socialist Republics, Yugoslavia and Peru introduced their proposed amendments. A lengthy debate ranged round the question of State responsibility for the media and the enriching and informing role of the media. One delegate wished to stress the point that responsibility for all aspects and dimensions of a country's foreign policy, be they political, economic, cultural or informational, lay with its ministry or other governmental body concerned with foreign affairs; thus, the field of information, when concerned with other countries, could not be treated as an exception to this principle - whether the media be privately or publicly operated - and it was this foreign context alone that the present Meeting was called upon to deal with. One delegate particularly insisted that the question of State control over the media was one that this Meeting could not solve. The notion of the dignity of States, as referred to in the draft text, was questioned. Violence and respect for the individual as dealt with by the mass media, and the activities of international news agencies, were other points particularly mentioned. Delegates expressed the wish that Article I should be representative of the essential points on which the Meeting might agree.

The delegate of Yugoslavia wished to see the inclusion of the words "within their competence and power" after "all necessary measures" in paragraph 3 of his delegation's proposed amendment, and the words "especially those belonging to governments or assisted by them" after "specializing in foreign news" in the second to last line of the same paragraph.

ARTICLE II - (18 C/COM/DR.11 (Cuba); COM-75/CONF.201/DR.2 (France), DR.3 (Canada), DR.13 (USSR), DR.16 (Sweden), DR.19 (Italy, France))

The delegates of Cuba and the Union of Soviet Socialist Republics presented their proposed amendments. Among the points mentioned were: more precise definition of media responsibilities, respect of national sovereignty and co-operation between countries in the field of communications with regard to journalists' working conditions. The proposed amendment of Sweden was withdrawn.

ARTICLE III - (18 C/COM/DR.1 (India); COM-75/CONF.201/DR.2 (France), DR.8 (Cuba), DR.13 (USSR), DR.15 (Algeria), DR.21 (Sweden))

The delegates of Cuba, the Union of Soviet Socialist Republics and Algeria presented their proposed amendments. Questions of terminology and translation concerned the use of the words "news" and "information" and the settlement of "disputes" or "conflicts". Several delegates spoke in support of the Indian proposal and of those in COM-75/CONF.201/DR.13 and DR.8. The text of the latter was withdrawn by the delegate of Cuba after agreement was given for its inclusion in the report as follows: "the condemnation of the inhumanities against which this declaration is directed implies a moral sanction against those organs of the mass media which, as at the present time, are instruments of the major transnational exploitative consortia, the acknowledged allies of those who convey the most retrograde and shameful ideas among the world community". The proposed amendment of Sweden was withdrawn.

ARTICLE IV - (COM-75/CONF.201/DR.1 (Peru), DR.2 (France), DR.5 (United States of America), DR.12 (Argentina))

The delegates of Peru and Argentina introduced their proposed amendments, the first stressing the importance of a new international economic order and the second designed to add a reference to ideological hatred. Another delegate considered that the discussion of ideologies was beyond the Meeting's scope.

ARTICLE V - (18 C/COM/DR.10 (USSR); COM-75/CONF.201/DR.2 (France), DR.5 (United States of America), DR.12 (Argentina), DR.13 (USSR), DR.23 (Senegal; Yugoslavia))

The delegate of Argentina said he had already explained his proposal in an earlier part of the discussion. The delegate of the Union of Soviet Socialist Republics, presenting his proposed amendment to paragraph 1, said it would better serve the interests of international understanding. He also proposed the addition of a third paragraph to consider action against the activities of supra-national services on national territories, this being incompativle with the United Nations Charter and the Unesco Constitution. Other speakers said this latter proposal would be inapplicable in their countries. The delegate of Senegal said his proposal would explain and clarify paragraph 2; other speakers supported this view.

ARTICLE VI - (18 C/COM/DR.7 (Hungary); COM-75/CONF.201/DR.2 (France), DR.5 (United States of America), DR.6 (Romania), DR. 12 (Argentina), DR.21 (Sweden))

The delegates of Hungary, Romania and Argentina presented their proposed amendments. Several delegates insisted in the role of the State in the education of young people and considered that the Declaration on Youth as contained in their proposals was more up to date. The reference in the proposal by Argentina to "political groups" was felt by one delegate to go beyond the competence of the Universal Declaration of Human Rights, though another delegate considered this reference possibly acceptable. The proposed amendment of Sweden was withdrawn.

ARTICLE VII - (18 C/COM/DR.9 (Bulgaria); COM-75/CONF.201/DR.2 (France), DR.13 (USSR))

The delegate of Bulgaria, introducing his proposed amendment, referred to the question of national sovereignty which, he said, would make it difficult to reach agreement on such an Article as this. The delegate of the Union of Soviet Socialist Republics said his proposal

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was in line with that of Bulgaria.

ARTICLE VIII - (18 C/COM/DR.2 (Peru), 18 C/COM/DR.9 (Bulgaria); COM-75/CONF.201/DR.2 (France), DR.3 (Canada), DR.5 (United States of America), DR.18 (Liberia))

The delegate of Peru wished to point out that the proposed amendment (18 C/COM/DR.2) submitted by his delegation constituted an original approach to the problem of the ownership and control of the mass media, based on an experiment actually carried out in his country, which consisted in removing the media from the control of both the State and private individuals or bodies and transferring them to that of organizations representative of the whole of society. The delegate briefly described this process of socialization of the press in Peru, noting however that Peruvian press law also provided for the continuing existence of a State press and a privately owned press alongside the socialized large-circulation dailies. Since time would not allow a detailed study of this model, he said, the delegation would withdraw its proposed amendment but requested that its statement be incorporated in the final report of the Meeting.

The delegate of Bulgaria, introducing the proposed amendment 18 C/COM/DR.9, wished to stress the importance of having the media fight for peace and against racism and inequality. He could accept the spirit of most of the other proposed amendments to this article. The delegate of Liberia, in introducing COM-75/CONF.201/DR.18, referred to the need for sufficient media facilities and qualified personnel in all countries if the declaration was to be workable. He was supported by other speakers. Another delegate felt that Articles VII and VIII should be brought together; the point, he said, was to find the conditions required for the two-way flow of information. He suggested that the delegate of Liberia might also wish to mention the training of national personnel. Another speaker raised the terminological question whether a two-way flow was necessarily the same as a balanced flow. The proposed amendment by Canada contained an additional paragraph on facilities for media professionals working in States other than their own.

ARTICLE IX - (18 C/COM/DR.3 (Ukrainian SSR); COM-75/CONF.201/DR. 14 (Ukrainian SSR))

The delegate of Ukrainian Soviet Socialist Republic proposed two amendments which, though mainly of a drafting nature, did, he said, reflect the main trends of the Meeting's work.

ARTICLE X - (18 C/COM/DR.1 (India), 18 C/COM/DR.8 (Mongolia); COM-75/CONF.201/ DR.8 (Cuba), DR.13 (USSR), DR.22 (Japan))

The text of the proposed amendment submitted by Cuba was withdrawn after agreement was given that it should be noted in a separate paragraph in the report. It reads as follows:

> "The abetment and encouragement of war-mongering and racist propaganda and apartheid, broadcast with impunity in vast regions of the world by mass media under the control of powerful transnational economic consortia, are condemned".

The delegate of the Union of Soviet Socialist Republics described his proposed amendment as a succint statement of the responsibility of the State for the mass media on its territory, which also reflected the proposed amendments of the Mongolian and Cuban delegations. Another delegation considered that this Article should be deleted since States could not take such responsibility.

ARTICLE XI - No amendments were proposed to this Article.

In the light of the foregoing, the Working Party established a revised text of the draft declaration reflecting the viewpoints expressed and including possible alternative wordings. This revised version was submitted to the plenary session and voted upon, paragraph by paragraph and article by article. The text thus established by the Meeting on the basis of the draft proposed by the Working Party was then put to the vote as a whole and agreed upon by 41 votes in favour, 8 against and 3 abstentions.

The following delegations explained their votes: Austria, Ecuador, Finland, Greece, Iran, Iraq, Japan, Peru, Sweden, Switzerland, Uruguay and Venezuela, the delegations of Greece and Sweden requesting that their statements be recorded in the report of the Meeting.

The delegate of Greece said that his country was in favour of strengthening peace and international understanding by all available means, and that it had been and was now in the forefront of the struggle against colonialism in the forum of the United Nations where it had voted for resolutions condemning apartheid and other forms of racialism. However, he continued, the inclusion of the article appearing as Article XII in the revised draft declaration left his delegation with no option but to abstain from voting on the text as a whole. Recent experience of State interference in the free dissemination of information, he said, had made the Greek people and their representatives extremely sensitive to any resemblance to an attempt to restrict the total freedom of the press, which they saw as the only means of defending individual rights and the only safeguard against the abuse of power by individuals, State organs or the State. His delegation therefore felt that the only conceivable form of State involvement in the free flow of information and ideas was the active interest and contribution of the State in safeguarding press freedom by encouraging and preserving the plurality of the media and the public expression of opinion. The speaker also noted that his delegation had abstained from voting on the new paragraph proposed by Yugoslavia to follow the fourth preambular paragraph, in accordance with the line adopted by the Greek delegation in the General Assembly of the United Nations during the debate on that issue. The delegate of Sweden said that the inability of his delegation to accept the final declaration explained its abstention during the separate voting on the individual paragraphs and its vote against the declaration as a whole. The main reasons for this, he said, had already been stated in connexion with the vote on the Yugoslav draft amendment inserted after the fourth preambular paragraph.

Opening Address by Mr. John E. Fobes

Deputy Director-General

I am happy to convey the greetings of the Director-General of Unesco, who regrets that he is unable to express in person his thanks to the delegates and observers who are with us today. As this is the first intergovernmental gathering on the mass media to be held under Unesco's auspices since Mr. M'Bow assumed the functions of Director-General, he has asked me to stress at the outset the importance he attaches to the role of the media in advancing the aims of our Organization. He looks forward with great interest to the results of your conference.

The issues with which you will be dealing during the coming week are of deep concern to Unesco and indeed are rooted in the Constitution itself. The founders of this Organization pledged themselves "to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives". In so doing they enumerated two principles which have been at the heart of much of what Unesco sought to accomplish in this field in the ensuing years. The first principle - as states in yet another provision of the Constitution - is to promote "the free flow of ideas by word and image". The second is that the content of what is transmitted through the media of mass communication should as far as possible serve to make peoples know and understand each other better.

The exacting task you have before you is precisely concerned with these basic considerations. You are called upon to formulate a text which, it is hoped, will express what the world in all its diversity can recognize as fundamental principles and the accompanying practical guides for the use of the mass media in certain critical areas of international responsibility. These areas are defined as strengthening peace and international understanding and combating those forms of communication which, wittingly or unwittingly, may serve to propagate the evil of war, racism and apartheid.

The promotion of peace and international understanding, of course, is Unesco's foremost objective and underlies almost all of its endeavours. What gives this meeting particular significance is the examination of the ways in which these ends can be furthered by the mass media at a time when the media by their scope, power, volume and adaptability of use have acquired immence capacities to influence the minds of men . Never before has there been such a concourse of energies from science, technology, industry, commerce, education, culture, entertainment and communication to flood the planet and - with the marvel of space broadcasting - even the space beyond it, with messages and signals of all kinds. Never before, perhaps, have we felt so acutely the need to put into perspective the part that press, radio, film and television play in shaping the destinies of mankind.

It is against this background of the new technology of communication, and in particular the advent of space communication, that the General Conference three years ago, at its seventeenth session, took a step forward in the attempt to define certain guidelines. That was the session which saw the adoption of a Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange. It was a pioneer effort, seeking as it did, while space broadcasting was still in its infancy, to establish norms for the future use of this unrivalled vehicle for the dissemination of information and knowledge to a world-wide audience. The scope and power of the message transmitted through space satellites impelled, the Declaration said, a recognition and reaffirmation of "the distinctive character, the value and the dignity" of each culture. Above all, the Declaration affirmed that the fulfilment of the potentialities of space broadcasting required that account be taken not only of the needs and rights of audiences but also of "the objectives of peace, friendship and co-operation between peoples" - of the unity of mankind as, in effect, planetary citizens.

This, however, was not the only initiative in the field taken by that 1972 session of the General Conference. Satellite broadcasting posed reasonably clear issues; it was a device for enhancing the range and scope of the mass media. Many asked whether there should not be similar guidelines applicable to the media themselves. The outcome was a resolution requesting the Director-General to prepare a draft declaration on the fundamental principles governing the use of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid.

In March 1974, experts from 12 countries, along with representatives of the interested international organizations, met to study and consider a preliminaty draft. On the basis of their report, a text was presented to the eighteenth session of the General Conference, where it was discussed at length in the Communication Commission and finally referred, along with a number of proposed amendments, to an intergovernmental meeting of experts for further study "in depth". The importance - and the difficulty - of this declaration were evident. Thus, despite the efforts of the expert meeting and despite its own lengthy discussion, the General Conference deemed it necessary to convene this present intergovernmental gathering.

As you embark upon your work it may be instructive to cast a glance at some of the precedents that history may offer. There is still in existence an international convention dealing with the use of broadcasting in the cause of peace that was signed in 1936, under the auspices of the League of Nations. But I will confine these brief remarks to that period we can call our own, beginning with the founding of the United Nations system.

Document COM-75/CONF.201/4 is a background report which attempts to trace the antecedents of this meeting dating back to the end of World War II. One of the first impressions emerging from the survey is that the issues of freedom and responsibilities of communications have been the concern alike of the United Nations and Unesco and that they have been the object of co-operation between the two Organizations.

I should like therefore to extend a particular welcome to the delegation from the United Nations among us today, and to reaffirm the fundamental importance of the partnership with the United Nations in this entire field.

That background report is divided into two parts corresponding to the main concepts which are indissolubly linked and which have characterized the debates in the United Nations from the beginning - the concept, on the one hand, of freedom of information, and, on the other, of the responsibilities of the mass media. Thus, the General Assembly of the United Nations at its very first session proclaimed freedom of information to be "the touchstone of all the freedoms to which the United Nations is consecrated" and at the same time called for an examination of the obligations and practices which should be included in this concept. In the years that followed, successive sessions of the General Assembly grappled with the thorny issue of reconciling and giving expression to these two concepts in a variety of draft conventions, declarations and resolutions.

At Unesco itself this period was marked particularly by initiatives to promote by normative and other action the reduction of obstacles to the free flow of ideas. Among the first international instruments to be sponsored by Unesco, in fact, were two agreements designed to facilitate the international circulation of educational, scientific and cultural materials so as to permit wider enjoyment of man's artistic and intellectual genius. Progressively, however, from the mid-1960's onwards, as the means of mass communication assumed ever increasing range and scope, there was a growing concern not only with the free flow of ideas but with such questions as the need for a more balanced two-way flow between developing and developed countries and defining the responsibilities of the mass media to their audiences.

In all of its work in mass communication, I should point out, a cardinal principle for Unesco has always been that of enlisting the co-operation of the professional people and of the network of institutions and associations in which they serve. We consider that the close working relationship established with the mass media professions over the years has been fundamental to our entire communication programme. Those persons, association and institutions have been our indispensable allies, giving us of their knowledge and experience and manifesting all along their keen desire to maintain the highest standards in their profession and to see the media develop and serve humanity. So, Ladies and Gentlemen, in the light of the considerable body of past experience, in the light of the draft new text and the various amendments proposed to it and in the light, above all, of your own collective wisdom and judgement, your meeting is called upon to prepare, for submission to the General Conference at its nineteenth session, less than a year from now, a Draft Declaration on Fundamental Princiepels Governing the Use of the Media.

The Draft Declaration clearly poses questions on which countries hold differing, and often sharply differing, views. Yet I would like to believe that there is a measure of agreement on fundamental principles in which freedom and responsibility alike have their place. I earnestly hope that you will seek that middle ground. Indeed, your task in drawing up a Draft Declaration is one which singularly calls for a spirit of give-and-take. The very essence of a Unesco Declaration, which is not a binding instrument, resides in the measure to which it gives unified expression to the conscience of the international community at the present stage of its development. I hope that, with this objective in view, your work will result in consensus on the text to be submitted to the General Conference. The text may not go as far as some would hope. It may only be a small step forward. But if it can carry sufficient consensus and commitment it will be worth the effort. For this type of endeavour, it is essential to avoid pretense; the great mass of people must believe that what we place before them as common goals for their world is in fact going to be largely observed. They want to hope and believe in something better in future, even if it represents only small progress. They will not do so if they suspect that there are too many empty phrases or narrow particular interests. I wish you well in your complex and exacting undertaking whose successful completion can do much to serve the cause of mutual understanding.

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International Council B'Nai B'Rith

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ANNEX X

Resolution 4.143 adopted by the General Conference at its nineteenth session, 1976, Nairobi.

The General Conference,

Conscious of the important role of mass media in furthering peace, promoting international understanding and combating war propaganda, racialism and apartheid,

Recalling its resolutions 4.113 (paragraph 5) and 4.11 adopted at its seventeenth and eighteenth sessions respectively,

Taking into consideration the discussions that have taken place on this subject under the auspices of Unesco,

Further taking into consideration the Draft Declaration contained in document 19 C/91 and the comments made thereon during its nineteenth session as well as the working documents examined by the Drafting and Negotiation Group (19 C/INF.20 and 19 C/INF.21),

Taking into account the various decisions of the nineteenth session of the General Conference on achieving a balanced international dissemination of information and the necessity of providing assistance to developing countries in this field,

1. Invites the Director-General to hold further broad consultations with experts with a view to preparing a final Draft Declaration on 'Fundamental Principles Governing the Use of the Mass Media in Strengthening Peace and International Understanding and in Combating War Propaganda, Racialism and Apartheid', which could meet with the largest possible measure of agreement, as well as to proposing any other action which may be called for in the light of these consultations;

2. Requests the Director-General to submit such a Draft Declaration to Member States at the end of 1977 or early in 1978, as well as any other proposal he might formulate;

3. Decides to include this item in the agenda of its twentieth session.

ANNEX XI

(Document 20 C/20, only
the text of the draft)

Draft Declaration on Fundamental Principles Governing the Contribution of the Mass Media to Strengthening Peace and International Understanding and to Combating War Propaganda, Racialism and Apartheid.

(This draft declaration, was drawn up by the Secretariat after various consultations in the different regions, in particular with the representatives of professional organizations.)

The General Conference,

1. Recalling that by its Constitution the purpose of Unesco is to "contribute to peace and security by promoting collaboration among the nations through education, science and culture" (Article I, 1), and that to realize this purpose the Organization will strive to "promote the free flow of ideas by word and image" (Article I, 2),

2. Further recalling that under the Constitution the Member States of Unesco, "believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the

free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives" (sixth preambular paragraph),

3. Recalling the purposes and principles of the United Nations, as specified in the Charter,

4. Recalling the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, and the International Covenant on Civil and Political Rights, adopted by the General Assembly of the United Nations in 1966,

5. Recalling the Convention concerning the Use of Broadcasting in the cause of Peace, adopted by the League of Nations in 1936, and which is still in force,

6. Recalling Article 4 of the International Convention on the Elimination of all Forms of Racial Discrimination adopted by the General Assembly of the United Nations in 1965, and the International Convention on the Suppression and Punishment of the Crime of Apartheid adopted by the General Assembly of the United Nations in 1973, whereby the States acceding to these Conventions undertook to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, racial discrimination, and agreed to prevent any encouragement of the crime of apartheid and similar segregationist policies or their manifestations,

7. Recalling the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, adopted by the General Assembly of the United Nations in 1965,

8. Recalling the Declaration and Programme of Action on the Establishment of a New International Economic Order, and the Charter of Economic Rights and Duties of States, adopted by the General Assembly

of the United Nations in 1974,

9. *Recalling* the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of Unesco in 1966,

10. *Recalling* resolution 110 (II) of the General Assembly of the United Nations adopted in 1947 condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression,

11. *Recalling* resolution 127 (II), also adopted by the General Assembly in 1947, which invites Members States to take measures, within the limits of constitutional procedures, to combat the diffusion of false or distorted reports likely to injure friendly relations between States, and resolution 32/154, adopted by the General Assembly of the United Nations in 1977, which recognizes the need for objective dissemination of information and the role and responsibility of the mass media in this respect, thus contributing to the growth of trust and friendly relations among States,

12. *Recalling* resolution 9.12 adopted by the General Conference of Unesco in 1968 reiterating Unesco's objective to help to eradicate colonialism and racialism, and resolution 12.1 adopted by the General Conference of Unesco in 1976 which proclaims that colonialism, neo-colonialism and racialism in all its forms and manifestations are incompatible with the fundamental aims of Unesco,

13. *Recalling* resolution 4.301 adopted in 1970 by the General Conference of Unesco, in which the Conference, deeming that information media should play an important part in furthering international understanding and co-operation in the interests of peace and human welfare, invites all Member States to take the necessary steps to encourage the use of information media against propaganda on behalf of war, racialism and hatred among nations,

14. *Recalling* the resolutions of the General Assembly of the United

Nations on the eradication of all forms of racialism and racial discrimination,

15. Proclaims on this day of 1978 this Declaration on Fundamental Principles governing the Contribution of the Mass Media to Strengthening Peace and International Understanding and to Combating War Propaganda, Racialism and Apartheid.

Article I

The strengthening of peace and international understanding and the combating of war propaganda, racialism and apartheid necessitate a free, reciprocal and balanced flow of accurate, complete and objective information, to which the mass media have the duty and responsibility of contributing. To this end, journalists and other agents of the mass media should enjoy a status which ensures that they are adequately protected.

Article II

1. The exercise of freedom of opinion, expression and information, recognized as an integral part of human rights and fundamental freedoms, is a vital factor in the strengthening of peace and international understanding. It confers special responsibilities and duties on the mass media.

2. Access by the public to information should be guaranteed by the diversity of the information media available to it, thus enabling each individual to check the accuracy of facts and to appraise events objectively. Similarly it is important that the mass media should express the concerns of peoples and individuals, thus promoting the participation of the public in the elaboration of information.

3. With a view to the strengthening of peace and international understanding and to combating war propaganda, racialism and apartheid, it is essential that the mass media should contribute to promoting human

rights, in particular by giving expression to those who combat colonialism, neo-colonialism and foreign occupation, apartheid and other forms of racial discrimination, and who are unable to make their voices heard within their own territories. This should be done with due respect for the sovereignty and legislation of the countries in which these media are located.

4. If the mass media are to be in a position to promote the principles of this Declaration in their activities, it is essential that journalists and other agents of the mass media exercising their activities in accordance with the principles of the present Declaration, in their own country or abroad, should enjoy professional status and be assured of protection guaranteeing them the best possible conditions for the exercise of their profession with conscientiousness and impartiality.

Article III

1. The mass media have an important part to play in the strengthening of peace and international understanding and in combating war propaganda, racialism and apartheid.

2. It is therefore incumbent on them to respect the rights and dignity of all nations, peoples and individuals, without distinction of race, sex, language, nationality or philosophical conviction. It is likewise incumbent on them to avoid any justification of or incitement to war-mongering, violence, apartheid and other forms of hatred or of national, racial or religious discrimination, as well as all forms of colonialsim and neo-colonialism. As a contribution towards the total eradication of these evils, they should also denounce all forms of related propaganda, in particular propaganda on behalf of wars of aggression, and any threat or use of force incompatible with the aims of the United Nations.

3. By applying these principles, which are in conformity with those governing relations between States, the mass media will thus promote

the establishment of a climate of confidence, mutual respect and tolerance between men and peoples of different origins and cultures.

Article IV

It is important that the mass media take part in the education of young people in a spirit of peace, justice, freedom, mutual respect and understanding, in order to promote human rights, equality of rights as between all human beings and all nations, and economic and social progress. It is also important that they should make known the views and aspirations of the younger generation.

Article V

In order that freedom of opinion, expression and information may be respected and that information may be more impartial, the mass media should make known the versions of facts presented by States, institutions and individuals who consider that the information published or disseminated about them has done serious harm to their efforts to strenghten peace and international understanding or to combat war propaganda, violence, apartheid and other forms of national, racial or religious discrimination, as well as all forms of colonialism and neocolonialism.

Article VI

For the establishment of a new equilibrium and greater reciprocity in the flow of information, which will be conducive to the institution of a just and lasting peace and to the economic and political independence of the developing countries, it is necessary to correct the quantitative and qualitative inequality in the flow of information to and from developing countries, and between those countries. To this end, it is essential that their mass media should have adequate resources enabling them to gain strength and expand, and to co-operate both among themselves and with the mass media in developed countries.

Article VII

By making widely known the objectives and principles which, under the resolutions adopted by the General Assembly of the United Nations, form the basis of a new international economic order, the mass media make an effective contribution to the strengthening of peace and international understanding.

Article VIII

It is particularly incumbent on those mass media, which enjoy extensive international coverage, to act in accordance with the principles proclaimed in the present Declaration.

Article IX

It is the duty of journalists and other agents of the mass media, their professional organizations, and all those who participate in their professional training, to act in such a way that the mass media apply the principles stated in the present Declaration, thus assuming the responsibilities inherent in their role. To this end, professional organizations should lay particular emphasis on these principles in drawing up professional codes of ethics.

Article X

Action by the international community, and more especially by Unesco, is regarded as essential for the application of the present Declaration. In particular, it is the responsibility of the international community to endeavour to create a freer and more balanced flow of information, promote a professional status for journalists and other agents of the mass media, and give expression to those who, in their struggle against colonialism, neo-colonialism, foreign occupation, apartheid and other forms of racial discrimination, are unable to make their voices heard within their own territories.

Article XI

1. With due respect to constitutional provisions designed to guarantee freedom of information and in compliance with the relevant international instruments and agreements, it is the duty of States to facilitate the application of the present Declaration, and to ensure that those mass media which legally come under their authority act in conformity therewith.

2. It is important that States should encourage a freer, wider and better balanced flow of accurate, complete and impartial information.

3. To this end, it is necessary that States should facilitate the procurement, by the mass media in the developing countries, of adequate resources enabling them to gain strength and expand, and that they should promote co-operation by the latter both among themselves and with the mass media in developed countries.

4. Similarly, on a basis of equality of rights, mutual advantage, non-interference in domestic affairs and respect for national sovereignty, including respect for the diversity of cultures which go to make up the common heritage of mankind, it is essential that States should encourage and develop bilateral and multilateral exchanges between the mass media in all countries, and in particular between those of countries having different economic and social systems.

5. For this Declaration to be fully effective, it is also incumbent on States, with due respect for the legislative and administrative provisions of each country, to help to promote a professional status for

journalists and other agents of the mass media, and to seek internationally acceptable standards which would enable them to exercise their profession with conscientiousness and impartiality.

ANNEX XII

(Document 20 C/20 Rev.)

Adopted by acclamation on 22 November, 1978, at the Twentieth Session of the General Conference of Unesco held in Paris.

DECLARATION ON FUNDAMENTAL PRINCIPLES CONCERNING THE CONTRIBUTION OF THE MASS MEDIA TO STRENGTHENING PEACE AND INTERNATIONAL UNDERSTANDING, TO THE PROMOTION OF HUMAN RIGHTS AND TO COUNTERING RACIALISM, APARTHEID AND INCITEMENT TO WAR

Preamble

The General Conference,

Recalling that by virtue of its Constitution the purpose of Unesco is to 'contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms' (Art. I, 1), and that to realize this purpose the Organization will strive 'to promote the free flow of ideas by word amd image' (Art. I, 2),

Further recalling that under the Constitution the Member States of Unesco, 'believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives' (sixth preambular paragraph),

Recalling the purposes and principles of the United Nations, as specified in its Charter,

Recalling the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948 and particularly Article 19 thereof, which provides that 'everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers'; and the International Covenant on Civil and Political Rights, adopted by the General Assembly of the United Nations in 1966, Article 19 of which proclaims the same principles and Article 20 of which condemns incitement to war, the advocacy of national, racial or religious hatred and any form of discrimination, hostility or violence,

Recalling Article 4 of the International Convention on the Elimination of all Forms of Racial Discrimination, adopted by the General Assembly of the United Nations in 1965, and the International Convention on the Suppression and Punishment of the Crime of Apartheid, adopted by the General Assembly of the United Nations in 1973, whereby the States acceding to these Conventions undertook to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, racial discrimination, and agreed to prevent any encouragement of the crime of apartheid and similar segregationist policies or their manifestations, Recalling the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, adopted by the General Assembly of the United Nations in 1965,

Recalling the declarations and resolutions adopted by the various organs of the United Nations concerning the establishment of a new international economic order and the role Unesco is called upon to play in this respect,

Recalling the Declaration of the Principles of International Cultural Co-operation, adopted by the General Conference of Unesco in 1966,

Recalling Resolution 59(I) of the General Assembly of the United Nations, adopted in 1946 and declaring:

> 'Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated;
>
> ....
>
> Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent;
>
> ....

Recalling Resolution 110(II) of the General Assembly of the United Nations, adopted in 1947, condemning all forms of propaganda which are designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression,

Recalling resolution 127(II), also adopted by the General Assembly in 1947, which invites Member States to take measures, within the limits of constitutional procedures, to combat the diffusion of false or distorted reports likely to injure friendly relations between States, as well as the other resolutions of the General Assembly concerning the mass media and their contribution to strengthening peace, trust and friendly relations among States,

Recalling resolution 9.12 adopted by [illegible] Unesco in 1968, reiterating Unesco's obje[illegible] colonialism and racialism, and resolution [illegible] ral Conference in 1976, which proclaims t[illegible] nialism and racialism in all its forms an[illegible] patible with the fundamental aims of Unes[illegible]

Recalling resolution 4.301 adopted i[illegible] rence of Unesco on the contribution of th[illegible] thering international understanding and c[illegible] of peace and human welfare, and to counte[illegible] of war, racialism, apartheid and hatred a[illegible] the fundamental contribution that mass me[illegible] tions of these objectives,

Recalling the Declaration on Race an[illegible] by the General Conference of Unesco at it[illegible]

Conscious of the complexity of the p[illegible] modern society, of the diversity of solut[illegible] to them, as evidenced in particular by the consideration given to them within Unesco, and of the legitimate desire of all parties concerned that their aspirations, points of view and cultural identity be taken into due consideration,

Conscious of the aspirations of the developing countries for the establishment of a new, more just and more effective world information and communication order,

Proclaims on this twenty-eighth day of November 1978 this Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and incitement to war.

Article I

The strengthening of peace and international understanding, the promotion of human rights and the countering of racialism, apartheid and incitement to war demand a free flow and a wider and better balanced dissemination of information. To this end, the mass media have a leading contribution to make. This contribution will be the more effective to the extent that the information reflects the different aspects of the subject dealt with.

Article II

1. The exercise of freedom of opinion, expression and information, recognized as an integral part of human rights and fundamental freedoms, is a vital factor in the strengthening of peace and international understanding.

2. Access by the public to information should be guaranteed by the diversity of the sources and means of information available to it, thus enabling each individual to check the accuracy of facts and to appraise events objectively. To this end, journalists must have freedom to report and the fullest possible facilities of access to information. Similarly, it is important that the mass media be responsive to concerns of peoples and individuals, thus promoting the participation of the public in the elaboration of information.

3. With a view to the strengthening of peace and international understanding, to promoting human rights and to countering racialism, apartheid and incitement to war, the mass media throughout the world, by reason of their role, contribute to promoting human rights, in particular by giving expression to oppressed peoples who struggle against colonialism, neo-colonialism, foreign occupation and all forms of racial discrimination and oppression and who are unable to make their voices heard within their own territories.

4. If the mass media are to be in a position to promote the principles of this Declaration in their activities, it is essential that journalists and other agents of the mass media, in their own country or abroad, be assured of protection guaranteeing them the best conditions for the exercise of their profession.

Article III

1. The mass media have an important contribution to make to the strengthening of peace and international understanding and in countering racialism, apartheid and incitement to war.

2. In countering aggressive war, racialism, apartheid and other violations of human rights which are inter alia spawned by prejudice and ignorance, the mass media, by disseminating information on the aims, aspirations, cultures and needs of all peoples, contribute to eliminate ignorance and misunderstanding between peoples, to make nationals of a country sensitive to the needs and desires of others, to ensure the respect of the rights and dignity of all nations, all peoples and all individuals without distinction of race, sex, language, religion or nationality and to draw attention to the great evils which afflict humanity, such as poverty, malnutrition and diseases, thereby promoting the formulation by States of the policies best able to promote the reduction of international tension and the peaceful and equitable settlement of international disputes.

Article IV

The mass media have an essential part to play in the education of young people in a spirit of peace, justice, freedom, mutual respect and understanding, in order to promote human rights, equality of rights as between all human beings and all nations, and economic and social progress. Equally, they have an important role to play in making known the views and aspirations of the younger generation.

Article V

In order to respect freedom of opinion, expression and information and in order that information may reflect all points of view, it is important that the points of view presented by those who consider [illegible]

Article VI

[illegible]

Article VII

By disseminating more widely all of the information concerning the universally accepted objectives and principles which are the bases of the resolutions adopted by the different organs of the United Nations, the mass media contribute effectively to the strengthening of peace and international understanding, to the promotion of human rights, and to the establishment of a more just and equitable international economic order.

Article VIII

Professional organizations, and people who participate in the professional training of journalists and other agents of the mass media and who assist them in performing their functions in a responsible manner should attach special importance to the principles of this Declaration when drawing up and ensuring application of their codes of ethics.

Article IX

In the spirit of this Declaration, it is for the international community to contribute to the creation of the conditions for a free flow and wider and more balanced dissemination of information, and of the conditions for the protection, in the exercise of their functions, of journalists and other agents of the mass media. Unesco is well placed to make a valuable contribution in this respect.

Article X

1. With due respect for constitutional provisions designed to guarantee freedom of information and for the applicable international instruments and agreements, it is indispensable to create and maintain throughout the world the conditions which make it possible for the organizations and persons professionally involved in the dissemination of information to achieve the objectives of this Declaration.

2. It is important that a free flow and wider and better balanced dissemination of information be encouraged.

3. To this end, it is necessary that States facilitate the procurement by the mass media in the developing countries of adequate conditions and resources enabling them to gain strength and expand, and that they support co-operation by the latter both among themselves and with the mass media in developed countries.

4. Similarly, on a basis of equality of rights, mutual advantage and respect for the diversity of the cultures which go to make up the common heritage of mankind, it is essential that bilateral and multilateral exchanges of information among all States, and in particular

between those which have different economic and social systems, be encouraged and developed.

Article XI

For this declaration to be fully effective it is necessary, with due respect for the legislative and administrative provisions and the other obligations of Member States, to guarantee the existence of favourable conditions for the operation of the mass media, in conformity with the provisions of the Universal Declaration of Human Rights and with the corresponding principles proclaimed in the International Covenant on Civil and Political Rights adopted by the General Assembly of the United Nations in 1966.

PART TWO

STATEMENTS AT THE 29th. AND 30th. MEETINGS OF PROGRAMME COMMISSION IV (CULTURE AND COMMUNICATION) ON ITEM 22 OF THE AGENDA

(20th. SESSION OF THE GENERAL CONFERENCE, 1978)

This part consists of speeches delivered by the delegations in the 29th. and 30th. session of Commission IV, immediately following the adoption by acclamation of the Mass Media Declaration by the twentieth session of the General Conference of Unesco. A total of sixty three Member States participated in this debate. The two largest international journalist organizations, namely the International Federation of Journalists and the International Organization of Journalists also presented their views. The following text is taken from Volume Three of the Records of the General Conference of the Twentieth session. In order to capture the true spirit of the delegates' speeches, it was necessary to print them in their original languages. But for the sake of wider readership they needed to be translated. Consequently, speeches delivered in Arabic, Spanish, Russian, are all produced first in their original languages and then in their English translations. Speeches delivered in Chinese are reproduced only in their English versions. Speeches delivered in French have been reproduced without any translations.

These speeches, viewed in totality, shed light on three crucial areas. These are:

a) importance of the Declaration
b) the significance of the concensus, particularly in view of the differences that existed before
c) the obstacles likely to be faced in implementing the Declaration.

It is with a view to present an authentic sample of the spirit of cooperation and goodwill that existed among the Member States, which was mainly instrumental in working out the concensus draft, that we produce the texts in Part Two.

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STATEMENTS AT THE TWENTY-NINTH AND THIRTIETH MEETINGS OF PROGRAMME COMMISSION IV (CULTURE AND COMMUNICATION) ON ITEM 22 OF THE AGENDA

INTERVENTIONS AUX VINGT-NEUVIEME ET TRENTIEME SEANCES DE LA COMMISSION DU PROGRAMME IV (CULTURE ET COMMUNICATION) SUR LE POINT 22 DE L'ORDRE DU JOUR

INTERVENCIONES EN LAS SESIONES 29a. Y 30a. DE LA COMISION DEL PROGRAMA IV (CULTURA Y COMUNICACION) SOBRE EL PUNTO 22 DEL ORDEN DEL DIA

ВЫСТУПЛЕНИЯ НА ДВАДЦАТЬ ДЕВЯТОМ И ТРИДЦАТОМ ЗАСЕДАНИЯХ КОМИССИИ ПО ПРОГРАММЕ IV (КУЛЬТУРА И КОММУНИКАЦИЯ) ПО ПУНКТУ 22 ПОВЕСТКИ ДНЯ

بيانات في الجلستين التاسعة والعشرين والثلاثين للجنة البرنامج الرابعة (الثقافة والاعلام) بشأن البند ٢٢ من جدول الأعمال

VINGT-NEUVIEME SEANCE DE LA COMMISSION DU PROGRAMME IV

(22 novembre 1978, matin)

Président : M. Wagner de Reyna (Pérou)

1. El Presidente:

Se abre la sesión. En primer lugar quiero dar la bienvenida a todos ustedes y en especial al señor Director General que ha venido a la reunión de nuestra Comisión. Examinaremos el documento 20 C/20 Rev., que sustituye al 20 C/20 y que tiene en cuenta las preocupaciones expresadas en las enmiendas propuestas al documento original. Tiene la palabra el señor Director General.

(1) **The Chairman (Translation from the Spanish):**

The meeting is open. First, I should like to welcome all of you and especially the Director-General, to the present meeting of our Commission. We shall discuss document 20 C/20 Rev., which replaces 20 C/20 and takes into account the preoccupations expressed in the proposed amendments to the original document. I give the floor to the Director-General.

2. Le Directeur général :

Je vous remercie, Monsieur le Président. Monsieur le Président, Mesdames, Messieurs les délégués, dans ma réponse au débat de politique générale, le 9 novembre dernier, j'ai exprimé ma conviction que dès le début de la Conférence générale, les Etats membres avaient instauré le meilleur des climats pour parvenir au plus large consensus, au terme d'une discussion approfondie et constructive au sujet du projet de déclaration sur les principes fondamentaux concernant la contribution des organes d'information au renforcement de la paix et de la compréhension internationale et à la lutte contre la propagande belliciste, le racisme et l'apartheid. En présentant le document relatif au point 22 de l'ordre du jour de la Conférence générale, document dont le Président de la Commission vient de vous rappeler la cote - il s'agit du 20 C/20 Rev. - je suis particulièrement heureux de constater que, pendant les deux semaines qui se sont écoulées depuis la clôture du débat de politique générale, cette volonté de parvenir à un consensus n'a jamais faibli. Je dirai même qu'elle s'est affirmée au point que l'on s'est efforcé par tous les moyens, à travers toutes les voies possibles, de parvenir à un accord auquel tous les Etats membres puissent raisonnablement se rallier.

Jour après jour, et parfois même nuit après nuit, les différentes délégations se sont efforcées de surmonter des obstacles dont on peut mesurer aujourd'hui combien ils étaient grands. Je me félicite qu'il en ait été ainsi. L'acharnement qui a entouré toutes ces discussions est d'abord le signe le plus évident de l'extraordinaire complexité des problèmes de la communication.

Celle-ci est au centre de la problématique mondiale. La réponse à tous les défis auxquels l'humanité est confrontée - meilleure compréhension entre les peuples, paix, faim, ignorance, développement - passe nécessairement par des solutions qui, d'une manière ou d'une autre, à un degré plus ou moins élevé, impliquent la communication. Les relations de chaque citoyen et de chaque nation avec le savoir, avec la richesse et, finalement, avec le pouvoir et, plus encore, les relations entre les individus et entre les nations - en d'autres termes la maîtrise du présent et la détermination de l'avenir de chaque individu, de chaque société - dépendent dans une large mesure des possibilités offertes en matière de communication.

Or, ces relations sont façonnées par l'histoire, par la culture, par des conditions sociales et économiques si diverses à travers le monde qu'une conception unique, universelle, de la communication peut difficilement prédominer, du moins en l'état actuel des choses. Le premier mérite de toutes les discussions qui ont eu lieu est donc d'avoir fait apparaître cette multiplicité des conceptions et des besoins en matière de communication à travers le monde, d'avoir accéléré, au sein de la communauté internationale la prise de conscience des problèmes inhérents à cette situation. L'accessoire ne retient jamais l'attention et suscite encore moins la passion ; l'intensité des discussions qui viennent de se dérouler prouve quelle place la communication occupe dans les préoccupations de tous.

Il est donc tout à l'honneur de notre Organisation d'avoir été le lieu d'une discussion aussi riche, à laquelle elle seule pouvait donner sa véritable dimension. C'est à mes yeux une nouvelle preuve de sa vitalité qu'elle donne aujourd'hui, lorsque, la discussion touchant à sa fin, il est clair que la passion n'a pas balayé la raison, que la diversité n'a pas exclu l'entente. La volonté de parvenir à un consensus était trop grande et trop évidente, comme le constatait déjà le Conseil exécutif à sa 104e session, pour que le Directeur général ne poursuive pas son action dans la voie que lui traçait ce même Conseil.

Après les plus larges consultations possibles avec les délégations des Etats membres, avec les représentants des différents groupes régionaux et des organisations non gouvernementales, après m'être assuré de leur volonté de parvenir à un accord unanime et avoir obtenu, de la plupart d'entre eux, l'engagement de renoncer aux amendements qu'ils avaient proposés et de soutenir mes efforts, fort des encouragements et de l'appui du Président de la Conférence générale et du Président du Conseil exécutif, j'ai cru devoir proposer le nouveau projet de déclaration sur les principes fondamentaux concernant la contribution des organes d'information au renforcement de la paix et de la compréhension internationale, à la promotion des droits de l'homme et à la lutte contre le racisme et l'apartheid et l'incitation à la guerre.

Qui pourrait s'en étonner ? Ce projet est évidemment un texte de compromis. A la lumière des débats, à la lumière de tous les points de vue que je me suis efforcé de comprendre et d'entendre, ce projet s'attache à apaiser les plus vives inquiétudes des uns et à répondre aux pressantes demandes des autres. Personne ne peut prétendre y voir figurer mot à mot le libellé qu'il espérait. Mais personne non plus ne peut affirmer que ce projet heurte profondément des principes auxquels il serait fondamentalement attaché.

C'est pourquoi, Monsieur le Président, j'ai la ferme conviction que la Commission, poursuivant ses travaux dans un état d'esprit aussi positif que celui qui l'anime depuis qu'elle les a commencés, adoptera le projet par consensus, faisant mentir toutes les Cassandres qui prédisaient ruptures et déchirements. A l'évidence, Monsieur le Président, la communauté internationale le souhaite ardemment. Je fais donc appel à vous tous pour que cette déclaration soit approuvée par consensus comme le projet de déclaration sur la race et les préjugés raciaux l'a été le 18 novembre dernier par la Commission des sciences sociales. Je vous remercie, Monsieur le Président.

3. El Presidente:

Muchas gracias, señor Director General. Se abre el debate sobre el proyecto de declaración, contenido en el documento 20 C/20 Rev. Doy la palabra al delegado de Túnez.

(3) The Chairman (Translation from the Spanish):

Thank, Mr. Director-General. The debate is now open on the draft declaration contained in document 20 C/20 Rev. I call upon the delegate of Tunisia.

4. Le délégué de la Tunisie :

Merci, Monsieur le Président. Je voudrais tout d'abord m'adresser à Monsieur le Directeur général pour le féliciter de son émouvante et éloquente allocution. Monsieur le Directeur général, le texte que vous venez de nous présenter est le fruit d'un effort laborieux et d'une profonde réflexion. Votre souci constant de consulter tous les pays, tous les organismes concernés, tous les délégués ici présents, à toutes les phases de l'élaboration du projet de déclaration n'a d'égal que votre détermination à ne présenter à la Conférence générale qu'un texte largement soutenu, ne pouvant susciter aucune frustration ni aucune réserve.

Bien qu'aucune séance n'ait été officiellement prévue pour la discussion de ce texte au sein de notre commission, chacune des personnes présentes aura consacré à son examen, dans le cadre des consultations informelles qui ont eu lieu, plus de temps qu'à n'importe quelle autre question ou projet de résolution. Les interventions des chefs de délégation en séance plénière, les apports personnels de chacun de nous sont à cet égard des plus édifiants. Aussi, Monsieur le Directeur général, je me permettrai de proposer à notre auguste assemblée d'approuver la déclaration par acclamation et sans débat. Merci.

5. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra la delegada de Polonia.

(5) The Chairman (Translation from the Spanish):

Thank you, Sir. I give the floor to the delegate of Poland.

6. The delegate of Poland:

I would like to support wholeheartedly the proposal made by the delegate of Tunisia, in response to the appeal made by the Director-General, that this draft Declaration be approved by consensus and without discussion. If this is agreed, it would be of historic importance because it would be the first time that a text of such outstanding significance, that has been the subject of long and patient negotiation, has achieved such a consensus. Thank you, Mr. Chairman.

7. El Presidente:

Muchas gracias, señora delegada. Tiene la palabra el delegado de Finlandia.

(7) The Chairman (Translation from the Spanish):

Thank you, Madam. The delegate of Finland has the floor.

8. The delegate of Finland:

In view of the importance of reaching consensus on this crucial issue, I have the honour to state on behalf of the Nordic countries, Denmark, Iceland, Norway, Sweden and Finland, that we support wholeheartedly the appeal made by the Director-General and the proposal of the distinguished delegate of Tunisia that the text of the draft Declaration be adopted by consensus and without discussion. Thank you very much, Mr. Chairman.

9. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Panamá.

(9) The Chairman (Translation from the Spanish):

Thank you, Sir. I call upon the delegate of Panama.

10. El delegado de Panamá:

Muchas gracias, señor Presidente, y muchas gracias, señor Director General, porque con su esfuerzo para vencer una dificultad enorme, cambiará usted la mala imagen que de la Unesco se estaba formando el mundo en estos momentos.

En los últimos años, cada vez que se reunía la Conferencia General en París, nuestra Casa daba la impresión de ser un centro de discordia, porque desgraciadamente las noticias señalaban los temas de profunda desunión entre los Estados. Nos hemos hecho mucho daño a nosotros mismos. Nuestra Organización nació para dar el ejemplo de que lo que debe dominar por encima de todo: la paz, los derechos humanos, el respeto y la difusión de todas las culturas, el acceso y la ayuda a la educación de los hombres, mujeres y niños del mundo entero, en una palabra, todo lo que conduce a la unión y la felicidad de la humanidad.

En ese sentido hemos encontrado, es verdad, muchas dificultades, pero usted señor Director General, con sabiduría, con paciencia, y en una lucha que cada día le engrandece, ha sabido hacer frente a los momentos difíciles. Hace varios años, señor Director General, que tengo el honor de conocerle. Y cuando se conoce bien a un hombre, se adivinan sus sentimientos aunque no los exteriorice. Usted ha sufrido últimamente, ha visto cómo a través de la prensa, la radio y la televisión se desmoronaba el prestigio de la Organización que era severamente criticada. El tema es, pues, de candente actualidad: porque la información mal llevada fomenta los peores sentimientos de los hombres y puede conducir a la destrucción del mundo.

Era inevitable que el proyecto de declaración precedente suscitara la discordia entre los aquí presentes. Para evitar un debate que habría sido totalmente negativo y con la preciosa colaboración del señor Boissier-Palun, su Consejero personal, el Director General, renunciando sin duda en estos últimos días al descanso y al sueño, ha elaborado un texto susceptible de lograr el acercamiento entre todos los Estados, la armonía y la comprensión que justifican la existencia de esta Casa. No

será perfecto porque no hay nada que lo sea, pero lo que significa para nuestra Organización que no salga de esta sala la noticia de que la Unesco ha sido un campo de batalla, hace que el texto que tenemos ahora delante merezca todo nuestro apoyo. Es un texto justo, claro, límpido, desprovisto de toda frase que comprometa a los Estados: los derechos humanos ocupan el lugar que le corresponde y se menciona el nuevo orden internacional de la información, que es una de nuestras grandes esperanzas.

Nada impide, como es natural, que se opine sobre el contenido de este texto, pero estoy seguro de que la fecha de hoy habrá de figurar en la historia de la Unesco como aquélla en que por primera vez y frente a un tema de extrema gravedad, los Estados Miembros llegaron a un consenso y aprobaron por aclamación el esfuerzo de un hombre que debe merecer toda nuestra admiración y toda nuestra confianza. Pido, pues, que logrado el consenso aprobemos inmediatamente por aclamación el nuevo texto. Muchas gracias.

(10) The delegate of Panama (Translation from the Spanish):

Thank you, Mr. President. I should also like to thank the Director-General, whose efforts in the face of enormous difficulties will correct the unfavourable impression which the world was beginning to form of Unesco.

In recent years, each time the General Conference has met in Paris, Unesco has given the impression of being a centre of discord between States, because of the profound disagreements that, unfortunately, were constantly being reported. We have done ourselves considerable harm. Our Organization was created in order to represent those values which must prevail above all: peace, human rights, respect for and dissemination of all cultures, access to and promotion of education for men, women and children throughout the world, in short, all those values which further the unity and happiness of mankind.

We have certainly encountered many obstacles along our path, but the Director-General, to his lasting credit, has overcome those difficulties with wisdom and perseverance. I have had the honour of knowing the Director-General for many years. And when you know someone well, you can sense his feelings even though they remain unexpressed. The Director-General has indeed felt deep concern at seeing the Organization's prestige gradually undermined by harsh criticism in the press and on radio and television. This is a question of key importance because false or inaccurate information only brings out the worst in men and may eventually lead to the destruction of our planet.

It was inevitable that the previous draft declaration would arouse discord among those present here. In order to avoid a debate which would have been totally negative, the Director-General, with the invaluable assistance of Mr. Boissier-Plaun, his personal adviser, has given unstinted time and effort in the last few days to preparing a text likely to be acceptable to all Member States and to reflect the harmony and understanding which are the very justification of the Organization's existence. It will not be perfect because nothing ever is, but it means that the news will not be reported from this room that Unesco has been a scene of battle, and it also means that the text before us now is worthy of our full support. It is a just, clear, lucid text devoid of anything constituting a commitment for States: human rights are given their rightful place and reference is made to a new international information order, which is one of our great hopes for the future.

Nothing, of course, prevents differing views being expressed over the content of the text, but I am sure that this day will stand out in Unesco's history as the day on which, for the first time, on being faced with such a serious issue, Member States achieved consensus and approved by acclamation the efforts of one man who deserves all our admiration and confidence.

I now request that, having achieved consensus, we should proceed immediately to approve this new text by acclamation. Thank you.

11. El Presidente:

Muchas gracias, señor delegado. Doy la palabra al delegado de Barbados.

(11) The Chairman (Translation from the Spanish):

I thank the delegate of Panama and give the floor to the delegate of Barbados.

12. The delegate of Barbados:

My Minister, in the course of his contribution to the general policy debate, observed that one of the most controversial items to be discussed at this Conference was the draft Declaration on the Mass Media. Of course, the media had already emphasized the crucial importance and predicted the intensity of the discussions which this document would generate. Indeed, Mr. Chairman, there were those who predicted that this Conference would founder in the hurricane of confrontations which would engulf the draft Declaration. Discussions have been long and detailed. The threat of confrontation has haunted many of us throughout the Conference. The media, of course, with enlightened self-interest, have continuously kept the matter alive and, as recently as last week-end, there were those who suggested in one section of the press that Unesco's own survival might well be at stake. Their vital interest in the debate was clearly manifested on 18 November, when, I believe, there were more representatives of the media in this room than there were delegates. It is almost the same situation today.

A not surprising but nevertheless significant development in the discussions of the draft Declaration has been the open admission in some sectors that there is imbalance in world information and that much must be done to rectify this undesirable situation. If the undertakings given as a result of the stirrings of conscience provoked by these discussions are put into effect we shall have taken a significant step towards readjusting this imbalance. To that extent Unesco will have succeeded

in its objective of devising the framework for the transfer of some resources and technology in communication from the developed countries to the developing countries. This is of course in keeping with the tenets of the new international economic order. Mr. Chairman, my delegation would strongly urge that such offers of assistance as have been or may be made should be channelled through Unesco with, perhaps, suitable control by the Organization, if necessary. My delegation sees no need for establishing any new section for this purpose.

Mr. Chairman, my delegation has never held the pessimistic views to which I referred earlier. It has always believed that Unesco is a resilient organization whose members are imbued with a sense of purpose and with the ability to seek solutions to the problems with which it is faced in fulfilling the ideas and objectives of its Constitution and contributing to the creation of a climate of peace and international understanding. It is in this belief that my delegation at the plenary stated that we have learnt to live in a world where there cannot always be unanimity and that we have learnt to respect each other's differences and to devise a modus vivendi for our coexistence. In doing so, my delegation called on all Member States to exhibit the same understanding, spirit of compromise and political will to allow us to bridge these differences. Mr. Chairman, the revised draft Declaration is, in my view, a vindication of my delegation's confidence in the existence of that political will and the validity of this Organization. It has frequently been said that more work, and even much more effective work, is done in the corridors of international conferences than in the conference room itself. I am sure the revised text before us is additional evidence in support of this view.

My delegation, Mr. Chairman, has indicated that it would never support any proposal that aimed at controlling the dissemination of information, but that it would give its support to actions which aim at achieving a more balanced flow of information and which enhance the role of communication in the promotion of peace, social justice and human rights. It is therefore prepared to give its full support to this revised draft on the fundamental principles governing the contribution of the mass media to strengthening peace and international understanding and to combating war propaganda, racialism and apartheid. There has been little formal debate of this item. As I already pointed out, there has been much meaningful discussion, and I am confident that the present text is basically acceptable to nearly all delegations. Therefore, I would urge my colleagues, as speakers before me have done, to adopt the Declaration by consensus and, perhaps I may dare to hope, by acclamation.

Mr. Chairman, I would like formally to invoke the provisions of Rule 76 of the Rules of Procedure and move the closure of this debate and the adoption by acclamation of the draft Declaration as proposed in 20 C/20 Rev. Thank you, Mr. Chairman.

13. El Presidente:

Muchas gracias, señor delegado.

Se ha invocado el artículo 76 del Reglamento de la Conferencia General, relativo a las mociones encaminadas a cerrar el debate. Dicho artículo prevé que dos oradores pueden oponerse a la moción. ¿Alguién se opone a la clausura del debate? Tiene la palabra el delegado de la República Dominicana.

(13) The Chairman (Translation from the Spanish):

I thank the delegate of Barbados.

Rule 76 of the Rules of Procedure of the General Conference, concerning motions of closure, has been invoked. The Rule stipulates that two speakers may oppose the motion. Does anyone object to the closure of the debate? I give the floor to the delegate of the Dominican Republic.

14. El delegado de la República Dominicana:

Señor Presidente, mi delegación desea que esta declaración obtenga el consenso. Pero como se trata precisamente de comunicación, creo que deben darse posibilidades de expresión a los delegados. Mi delegación apoya la declaración con ciertas reservas que expondrá, pero desea que los delegados puedan seguir manifestando sus opiniones. Me opongo, pues, a la moción de cierre del debate.

(14) The delegate of the Dominican Republic (Translation from the Spanish):

Mr. Chairman, my delegation is in favour of this declaration being adopted by consensus, but as communication is precisely what the declaration is about, I think that delegates should be given an opportunity to express their views. My delegation supports the declaration with certain reservations, which it will explain later, but it wishes delegates to be able to continue to express their opinion. I therefore oppose the motion of closure.

15. El Presidente:

Señores, se ha invocado el artículo 76 relativo al cierre del debate. Un delegado se ha opuesto. Hago presente que el cierre del debate no impide que después las delegaciones puedan expresar sus puntos de vista y fundamentar sus posiciones. ¿Alguien más se opone al cierre del debate? Tiene la palabra el delegado de Argelia.

(15) The Chairman (Translation from the Spanish):

Ladies and gentlemen, Rule 76 of the Rules of Procedure concerning the closure of the debate has been invoked. One delegate has opposed the motion. It should be pointed out that the closure of the debate does not prevent delegations from thereafter expressing their point of view and establishing their position. Does anyone else wish to oppose the motion of closure? The delegate of Algeria has the floor.

16. **Le délégué de l'Algérie** :

Merci, Monsieur le Président. Monsieur le Président, en réalité je ne m'oppose pas à la clôture du débat, puisque nous n'avons pas ouvert le débat et je pense qu'il n'y aura pas de débat. Mais je pense qu'il convient, par esprit de compréhension et de courtoisie, de permettre aux délégations qui voudraient rendre hommage aux efforts que le Directeur général a déployés depuis assez longtemps pour arriver à un consensus de prendre la parole et de lui exprimer toutes leurs félicitations. Je pense donc que l'auteur de la proposition de clôture devrait la retirer, car nous ne sommes pas en train de tenir un débat, nous sommes ici pour exprimer notre sentiment de gratitude au Directeur général pour les efforts qu'il a déployés. Je souhaite que cette proposition soit retirée tout en considérant personnellement qu'il n'y a pas lieu d'ouvrir un débat au stade actuel puisque la tendance générale est à l'adoption par consensus. Merci, Monsieur le Président.

17. El Presidente:

Compruebo que el segundo orador se opone al cierre del debate. Quisiera preguntar al delegado de Barbados si mantiene su posición, en cuyo caso pondría inmediatamente a votación la propuesta formulada en virtud del artículo 76.

(17) **The Chairman (Translation from the Spanish):**

I take it that a second speaker is opposed to the motion of closure. May I ask the delegate of Barbados if he maintains his position, in which case we shall proceed immediately to put the proposal to the vote in accordance with Rule 76.

18. The delegate of Barbados:

With due respect, Mr. Chairman, I would wish to maintain my proposal and I would appeal to my distinguished colleague from Algeria to recognize that the closure of the debate would not preclude his having an opportunity to congratulate the Director-General, as indeed we all wish to do. Thank you, Mr. Chairman.

19. El Presidente:

Muchas gracias, señor delegado. Deseo señalar que la clausura del debate entrañaría el que se sometiera inmediatamente a votación el proyecto de declaración, pero que ello no implica en modo alguno que los delegados no puedan después exponer sus puntos de vista y transmitir sus felicitaciones al Director General. Por esa razón pongo a votación la propuesta formulada por el delegado de Barbados, en virtud del artículo 76.

Por 90 votos contra 3 y una abstención, es aprobado el cierre del debate.

Someto ahora a la aprobación de la Comisión el proyecto de declaración contenido en el documento 20 C/20 Rev.

(Aplausos)

El proyecto de declaración es aprobado por aclamación.

Señores, asistimos a una victoria de la Unesco, una victoria de este hogar espiritual de mil ventanas en que lo imposible se hace palabra y acción. Quiero felicitar a todas las delegaciones que han aprobado por aclamación esta Declaración, haciendo concesiones mutuas para encontrar el lugar geométrico en que se tocan las diversas líneas de pensamiento que rigen la comunicación en el mundo actual. Quiero también rendir un homenaje muy especial al Sr. Amadou-Mahtar M'Bow, nuestro querido Director General, que ha tenido el coraje y la sabiduría de retirar el texto que nos proponía antes y presentar uno nuevo basado en amplias consultas democráticas con todos los sectores de opinión, y así, con diligencia y habilidad, ha logrado la unanimidad y el consenso general en torno a este documento fundamental. Es hoy un día de fiesta para la Unesco. Tiene la palabra el señor Director General.

(19) **The Chairman (Translation from the Spanish):**

I thank the delegate of Barbados. I should like to point out that closure of the debate would entail the draft declaration being put to the vote forthwith, but this in no way implies that delegates would be unable to express their points of view and offer their congratulations to the Director-General. I therefore put to the vote the proposal submitted by the delegate of Barbados under Rule 76.

The motion of closure is adopted by 90 votes to 3, with one abstention.

I now submit to the Commission for approval the draft declaration contained in document 20 C/20 Rev.

(Applause)

The draft declaration is adopted by acclamation.

Ladies and gentlemen, we have just witnessed a victory for Unesco, and a victory for this spiritual forum of a thousand windows where the impossible can become word and deed. I should like to congratulate all the delegations who have adopted this draft by acclamation for the mutual concessions they have made in order to find the point at which the various lines of thought governing communication in today's world

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intersect. I should also like to pay a very special tribute to Mr. Amadou-Mahtar M'Bow, our dear Director-General, who had the courage and wisdom to withdraw the text previously proposed to us and to submit a new one prepared after wide democratic consultation with all sectors of opinion. Thus, with conscientiousness and skill, he has managed to obtain unanimity and general consensus for this fundamental document. Today is a day of celebration for Unesco. The Director-General has the floor.

20. Le Directeur général :

Je vous remercie, Monsieur le Président. Monsieur le Président, je crois que la décision que vous venez de prendre aujourd'hui par acclamation est effectivement une décision historique et je me bornerai simplement à vous exprimer ma profonde gratitude, à remercier tous ceux, nombreux parmi vous, qui ont tenu à m'encourager dans la voie de la recherche d'une solution acceptable par vous tous et pour vous tous. Je ne vous cache pas qu'au départ, j'avais moi-même des doutes sur la possibilité de parvenir à ce consensus, mais au fur et à mesure de mes entretiens avec vous je me suis aperçu qu'il existait effectivement une volonté de trouver une solution qui, sans répondre exactement aux souhaits des uns et des autres, pouvait rallier la communauté internationale. L'approbation que vous venez d'exprimer montre bien qu'avec de la patience, avec le dialogue, malgré les divergences, on peut parvenir à cerner, et donc à trouver des solutions raisonnables aux problèmes les plus difficiles. C'est le plus grand encouragement que vous m'aurez donné à persévérer dans cette voie et je veux vous exprimer à tous ma profonde gratitude en mon nom personnel, au nom de mes conseillers qui m'ont aidé et au nom de tous mes collègues du Secrétariat qui ont travaillé avec moi depuis deux ans pour arriver à ce résultat. Merci donc de votre compréhension, merci de votre amitié qui a été unanime ; cette amitié m'a été extrêmement précieuse. Merci, Monsieur le Président.

21. El Presidente:

Continúo con la lista de oradores. Tiene la palabra el delegado de Argelia.

(21) The Chairman (Translation from the Spanish):

I shall continue with the list of speakers. The delegate of Algeria has the floor.

22. Le délégué de l'Algérie :

Merci, Monsieur le Président. Monsieur le Président je me bornerai à dire ce que je souhaitais dire avant l'adoption du projet de déclaration que nous a présenté le Directeur général et qui ne constitue pas de ma part une explication de la position de ma délégation que tout le monde connaît. Je laisse à ma délégation le soin de formuler ultérieurement les appréciations et les réflexions que lui inspire la déclaration. Je voudrais simplement, en son nom, rendre un hommage chaleureux au Directeur général pour tous les efforts qu'il a déployés non seulement depuis l'ouverture de la présente session de la Conférence générale, mais depuis qu'il a été élu à la tête de notre Organisation. Il s'agissait en l'occurrence d'un dossier brûlant, d'une importance capitale, qui lui a été soumis parmi bien d'autres et sur lequel il s'est penché avec passion, amour et détermination. Il nous a beaucoup aidés à aboutir, dans un climat de compréhension et de concorde, à un accord général. Je voudrais terminer cette brève intervention sur une note optimiste en évoquant un souvenir de la troisième session de la Conférence des Nations Unies sur le droit de la mer, à laquelle les Etats étaient divisés sur la notion de patrimoine de l'humanité et sur la façon de procéder en vue d'arriver à un consensus. Après la clôture de la Conférence, le président de celle-ci, qui appartient à un pays dont je ne veux pas citer ici le nom, a tiré de sa poche un texte susceptible de rallier un consensus : c'est ce qu'on appelle actuellement le "texte unique de réflexion et de négociation". Je n'en rends que davantage hommage à notre Directeur général pour avoir tiré de sa poche un texte sur lequel pouvait se faire le consensus avant la clôture de la Conférence générale. Merci, Monsieur le Président.

23. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Turquía.

(23) The Chairman (Translation from the Spanish):

I thank the delegate of Algeria. I give the floor to the delegate of Turkey.

24. Le délégué de la Turquie :

Monsieur le Président, j'ai le regret de dire que j'avais demandé à parler avant l'adoption de la déclaration, mais cela a sans doute échappé à votre attention. Maintenant, les paroles que je voulais prononcer deviennent inutiles car je ne ferais que répéter ce que les autres membres de la Commission pourraient dire. Je renonce donc à prendre la parole.

25. El Presidente:

Deseo aclarar al delegado de Turquía que vi su nombre cuando ya había otros oradores inscritos en la lista, pero que la clausura del debate a que se procedió, de conformidad con el artículo 76, impidió que hiciera uso de la palabra antes de la votación.

Tiene la palabra el delegado de los Estados Unidos de América.

(25) The Chairman (Translation from the Spanish):

I should like to explain to the delegate of Turkey that I did see his name, but there were already other speakers on the list, and the subsequent closure of the debate under Rule 76 prevented his taking the floor before the vote.

The delegate of the United States of America has the floor.

26. The delegate of the United States of America:

This revised Declaration, as approved by the Commission, is a triumph of the spirit of goodwill and international co-operation that can and should animate the United Nations in general, and Unesco in particular. I congratulate all those who participated in the deliberations that produced it, and especially the Director-General, whose patience and perseverance encouraged those of us who felt at one point that a document satisfactory to all might be too much to expect.

There is not only a diversity of cultures represented in this Conference, but a broad spectrum of differing social, economic and political systems. In some of our Member States the role of the press is seen as being totally supportive of government policy. In others, such as the United States, the absolute freedom of the press from coercion or restraint is a deeply held article of faith. This freedom is sometimes abused but, as Thomas Jefferson said in the early days of our young and revolutionary Republic, "we must tolerate error so long as truth exists to combat it". In our own generation, a distinguished American clergyman, the Rev. A. Powell Davies, spoke of this issue in terms even more relevant to the times in which we live. "The world", he said, "has become too small for anything less than brotherhood and too dangerous for anything less than the truth".

I am not so naive as to think that we have yet attained the age-old ideal of brotherhood. But I do believe that the paths to that goal will be easier if the peoples of this ever smaller and more interdependent world know more of the truth about each other. And that can be achieved only if all of the barriers to the free flow of information between nations are eliminated. Not everyone, I am sure, is fully satisfied with every word or phrase this Declaration contains. But it does express ideals to which we can all subscribe while imposing no ideological or mandatory constraints on the way each of us conceives to be the role of the press in our society. This is why I call it a triumph of goodwill and, may I add, of commonsense, that can only serve to strengthen Unesco and the cause of international understanding. Thank you, Mr. Chairman.

27. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Francia.

(27) The Chairman (Translation from the Spanish):

I thank the delegate of the United States of America. The delegate of France has the floor.

28. Le délégué de la France :

Je vous remercie, Monsieur le Président. Je veux exprimer la satisfaction de la délégation française devant le résultat auquel nous venons de parvenir. Ce résultat est l'aboutissement de longs efforts et je tiens à féliciter tous ceux qui y ont participé : le président de la Conférence générale, qui a compris qu'un accord sur ce point était la condition du succès de la présente session de la Conférence générale ; le Directeur général, qui a dû sentir, dans les acclamations de tout à l'heure, monter vers lui un élan de gratitude et de sympathie et, comme il l'a dit, d'amitié et qui a présenté le texte que nous venons d'approuver ; son représentant, M. Boissier-Palun, qui avait déjà contribué à Nairobi, en tant que président du Groupe de rédaction et de négociation, à faire progresser la question, même si le succès n'avait pas couronné nos efforts d'alors et qui a joué un grand rôle en dégageant les lignes du compromis ; l'ambassadeur Carducci, qui s'est fait l'interprète des pays auxquels le texte antérieur causait des préoccupations ; enfin, M. Masmoudi, qui nous a fait profiter de sa connaissance des préoccupations des pays non alignés dans ce domaine.

Monsieur le Président, les difficultés qu'il y avait lieu de surmonter étaient grandes. Nous souhaitions, et la délégation française autant, sinon plus, que toute autre, répondre précisément à ces aspirations des pays du Tiers Monde qui estiment légitimement que leur part dans la production et l'échange des informations n'est pas suffisante, mais nous avions des doutes sur l'intérêt, dans ce contexte, d'une déclaration. Nous nous sommes surtout heurtés à un obstacle majeur : comment établir un texte qui fût applicable à l'ensemble de la communauté internationale, c'est-à-dire à des pays qui ont des traditions, des conceptions, des lois différentes en la matière ? En ce qui nous concerne, nous sommes profondément attachés à la liberté et au pluralisme de l'information. Il fallait que la déclaration ne donnât lieu à cet égard à aucun malentendu. Il fallait surtout qu'elle fût comprise de ceux qui créent l'information et qui accomplissent, dans la diversité de leurs convictions, mais avec une égale bonne foi, et je dirai une égale abnégation, la noble et difficile tâche qui est la leur. Le texte auquel nous sommes parvenus n'est pas parfait ; son style trahit parfois les difficultés de son enfantement, mais c'est un bon texte dans la mesure où il ne consacre pas la victoire d'une idéologie sur une autre, mais exprime des idées et des sentiments auxquels nous pouvons, tous et sans réserve, souscrire. La délégation française qui dans cette Organisation ne cesse de chercher à faciliter les solutions de conciliation et qui appuie à cet égard pleinement les efforts du Directeur général est particulièrement heureuse de ce succès.

29. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Venezuela.

(29) The Chairman (Translation from the Spanish):

I thank the delegate of France, and give the floor to the delegate of Venezuela.

30. El delegado de Venezuela:

Señor Presidente, seré muy breve porque la alegría y la satisfacción no necesitan de muchas palabras. Mi delegación se felicita de la adopción de este texto que ha permitido superar una difícil situación. Este proyecto representa lo mejor del espíritu de conciliación que anima a nuestra Organización y es en sí mismo un ejemplo de comunicación y de comprensión. El que la divergencia de puntos de vista no impidan el aprecio y el respeto mutuos, es precisamente el milagro de la comunicación. El milagro de la comunicación es entenderse, es aceptar la diversidad y la pluralidad que felizmente caracterizan a los hombres y que esa variedad y esas diferencias no los aíslen sino que los acerquen para que puedan poner sus puntos de vista en común y sacar de ellos lecciones útiles para todos.

Este es, pues, un ejemplo extraordinario de lo que puede y debe ser la franca y abierta comunicación de todos los hombres del mundo y en una Organización como la Unesco que constituye una muestra extraordinaria de esa variedad, y al mismo tiempo de la posibilidad de una comunicación abierta que lleve a la comprensión, al respeto mutuo y al acuerdo. Este proyecto que acaba de aprobarse por aclamación nos acerca a todos y nos hace comprendernos mejor, lo que será muy útil para nuestra labor futura. La delegación de Venezuela aplaude de todo corazón este resultado; le llena de satisfacción que se haya llegado a esta solución a la que tanto tiempo dedicamos, y a la que nadie opone objeciones de fondo.

La Declaración abre el camino para que las comunicaciones consigan plenamente el acercamiento de todos los hombres del mundo, el establecimiento del flujo equilibrado de información, sin que haya desfavorecidos y afortunados en esta materia, y la libertad de ese flujo de la información en todos los sentidos. Ello merece el aplauso y la gratitud de todos los hombres.

Señor Presidente, en nombre de la delegación de Venezuela quiero felicitar al Director General por el gran esfuerzo que ha hecho para llegar a este fin, felicitación que hago extensiva a todas las delegaciones y me congratulo del porvenir de la comprensión en el mundo que puede y debe inspirarse en el gran ejemplo que hoy se ha dado en esta Casa. Muchas gracias, señor Presidente.

(30) The delegate of Venezuela (Translation from the Spanish):

Mr. President, I shall be brief because joy and satisfaction do not call for many words. My delegation welcomes the adoption of this text which has enabled a difficult situation to be overcome. This draft represents the best of the spirit of conciliation which breathes life into our Organization and is in itself an example of communication and understanding. The fact that divergent points of view do not prevent mutual consideration and respect is the real miracle of communciation; the miracle of understanding one another and accepting that the diversity and variety which happily characterize men may bring them together instead of isolating them, so that they can pool their points of view and draw from them lessons which are useful for all.

Here, then, is an outstanding example, firstly of what sincere, open communication can and should be among all the people of this earth - and especially in an organization as representative as Unesco, and secondly of the way in which such communication can lead to understanding, mutual respect and agreement. The draft declaration which has just been approved by acclamation brings us all closer together and makes us understand each other better - this will be extremely useful for our future work. The delegation of Venezuela applauds this result whole-heartedly and is delighted that, after prolonged deliberation, it has been possible to reach a solution to which nobody has made any fundamental objections.

The declaration opens the way for communication to bring about the full rapprochement of all the people of this earth, the establishment of a balanced flow of information with no unfair advantages or disadvantages for anyone, and the freedom of this flow of information in all respects. This deserves the congratulations and gratitude of all mankind.

Mr. Chairman, on behalf of the delegation of Venezuela I should like to pay tribute to the Director-General for his valiant endeavours, and to extend congratulations to all the delegations here. The great example which has been given today in this house can and must serve as a source of inspiration for the future of understanding in the world. Thank you, Mr. Chairman.

31. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de la India.

(31) The Chairman (Translation from the Spanish):

Thank you, Sir. The delegate of India has the floor.

32. The delegate of India:

Mr. Chairman, the delegation of India welcomes the adoption by consensus of the draft Declaration contained in document 20 C/20 Rev. of 21 November 1978 presented to us this morning by the Director-General. Addressing this Commission on 17 November, the head of my delegation, Mr. L.K. Advani,

Minister for Information and Broadcasting in the Government of India, made an earnest appeal to all concerned to strive together for the achievement of a consensus. We are gratified therefore that the consensus has finally been reached. Many delegations have worked tirelessly and with dedication to this end, but the Director-General has also invested his prestige and a great deal of his time and energy in the same direction. We thank them all and congratulate them. In doing so, we are indeed congratulating ourselves, and thanking ourselves.

The essence of compromise, Mr. Chairman, is the willingness of all parties not to insist on their own individual points of view which are unacceptable to others. The draft Declaration we have just adopted by consensus is the product of much protracted negotiation and represents just such a compromise. Not all the points are reflected in it. Some may have wished to have additional elements included, or others deleted. Others would have preferred certain paragraphs or Articles to be worded differently. Given the wide divergencies of opinion and interests, this is but natural. Nevertheless, both by a spirit of mutual understanding and through constructive co-operation, all have consented to agree on a text embodying only what is generally acceptable.

It is in the same spirit that my delegation has also become a party to this consensus. The policy of the Government of India in the field of communication and our approach to the draft Declaration were outlined in the initial statement made by our Minister. Mr. Advani, on Friday, 17 November The acceptance by India of the present consensus on the Declaration should be seen in the light of that statement and within the policy framework enunciated therein.

In conclusion, Mr. Chairman, my delegation would like to express the hope that the spirit of mutual understanding and constructive co-operation underlying this Declaration will endure and enable the realization of the objectives of the Declaration. The non-aligned countries and developing countries in the world expect no more and demand no less. Thank you Mr. Chairman.

33. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Suiza.

(33) **The Chairman** (Translation from the Spanish):

I thank the delegate of India, and call upon the delegate of Switzerland.

34. Le délégué de la Suisse :

Monsieur le Président, je dois vous dire que ce n'est pas sans de très grandes hésitations que ma délégation a pu se joindre au consensus qui vient d'intervenir sur le document 20 C/20 Rev. Elle l'a fait pour tenir compte des efforts méritoires déployés par le Directeur général et par de nombreuses délégations, efforts dont nous vous félicitons chaleureusement. Il n'en reste pas moins que le document adopté appelle de notre part de sérieuses réserves que je m'en voudrais de ne pas présenter avec toute la netteté désirable.

La déclaration, en dépit des modifications qui lui ont été apportées au cours de laborieuses concertations, continue à heurter notre conception du rôle des moyens d'information et de leurs relations avec l'Etat. En Suisse, la liberté de la presse est garantie par une disposition lapidaire de la Constitution. Là où elle existe, cette liberté ne nécessite pas de longues déclarations. L'un des fondements essentiels de la démocratie telle que nous la pratiquons tient à la participation du citoyen à la formation des décisions du gouvernement et au partage des responsabilités pour ce qui est de la protection des intérêts communautaires. Dans une telle perspective, les moyens d'information ont un rôle irremplaçable à jouer. Il leur revient d'une part d'éclairer l'opinion publique sur les problèmes de la vie nationale et sur les intentions du gouvernement, d'animer le débat sur les questions soumises à des votes populaires, ce qui, vous le savez, est fréquemment le cas. D'autre part, les moyens d'information reflètent et expriment les réactions et les aspirations des citoyens qui adressent au gouvernement suggestions et critiques. Un tel rôle présuppose que les médias jouissent de la liberté de l'information telle qu'elle est proclamée dans la Déclaration universelle des droits de l'homme et garantie par le Pacte international relatif aux droits civils et politiques et par d'autres instruments internationaux que la déclaration qui vient d'être adoptée ne mentionne pas. Cette liberté, dont l'autonomie est le corollaire, reflète du reste la liberté de pensée, d'opinion et d'expression également inscrite dans notre Constitution.

Il fallait rappeler ces principes pour souligner combien nous sommes hostiles à toute tendance à établir un lien quelconque entre la protection des journalistes et les principes qui sont à la base de la déclaration, laquelle prescrit aux moyens d'information ce qu'ils doivent faire ou ne pas faire, ou leur assigne des finalités qui d'ailleurs comportent l'obligation, même voilée, de publier ou de diffuser telle ou telle information. Certes, nous savons qu'il existe des situation très différentes et des conceptions diamétralement opposées aux nôtres quant au rôle des moyens d'information et à leur liens avec l'Etat. Ces conceptions nous paraissent si éloignées les unes des autres que c'est à nos yeux une entreprise impossible de vouloir les concilier dans une même déclaration. Nous nous demandons si la communauté internationale, l'Unesco en particulier, a intérêt à investir son énergie et ses moyens dans cette sorte de recherche où ni la rigueur intellectuelle ni les espoirs légitimes de plusieurs de ses Etats membres ne nous semblent trouver leur compte.

Quant à nous, nous devons dire avec la plus grande netteté que nos médias poursuivront leurs activités selon leur propre éthique, soucieuses avant tout de servir et d'éclairer notre opinion publique en mettant à sa disposition des sources multiples d'information. Nous pensons en effet que

cette diversité contribue à la transparence et à la circulation de l'information. Cela revient à dire que nous ne pourrons admettre aucune attitude qui, interprétant abusivement le document 20 C/20 Rev. irait à l'encontre des principes fondamentaux auxquels nous sommes fermement attachés. Je l'ai dit à l'occasion du débat de politique générale, et vous me permettrez de le répéter ici : la Suisse ne se considère pas comme liée par une déclaration dans la mesure où celle-ci peut mettre en question des principes fondamentaux de notre pays.

Au terme de mon intervention, je voudrais, Monsieur le Président, vous exprimer le regret que le texte sur lequel nous avons été appelés à nous prononcer mêle à des aspirations parfaitement légitimes un postulat qui n'a nullement été justifié par l'expérience passée, celui selon lequel le contrôle de l'Etat sur les mass media est de nature à favoriser leur action en faveur de la paix et de la compréhension internationale.

Quant aux aspirations que nous appuierons pleinement, ce sont celles des pays en voie de développement qui souhaitent voir s'instaurer une circulation internationale de l'information plus équilibrée, donc plus juste et plus efficace, et renforcer leurs infrastructures dans ce domaine. Avant même qu'apparaisse l'idée d'une déclaration, la Suisse a reconnu cette aspiration légitime des pays en développement. L'appui qu'elle leur apporte tant au niveau des pouvoirs publics qu'à celui des associations professionnelles de la presse, des agences d'information et de la radio-télévision, porte essentiellement sur l'administration des postes et télécommunications, la formation de personnel, l'enseignement des télécommunications, le développement de la presse rurale, etc. Nous partons de l'idée que dans ce domaine, l'Unesco a un rôle important à jouer. Toute mesure pratique et concrète propre à renforcer la capacité des pays en développement d'exprimer leur identité culturelle et de communiquer entre eux et avec les pays développés revêt à nos yeux plus de poids que toute déclaration. Vous le savez, notre volonté est de nous associer à tout ce que notre Organisation fait et fera dans une telle perspective constructive, Merci, Monsieur le Président.

35. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Malta.

(35) The Chairman (Translation from the Spanish):

I thank the delegate of Switzerland, and give the floor to the delegate of Malta.

36. The delegate of Malta:

Mr. Chairman, Director-General, distinguished colleagues: I wish to express our sincere appreciation of the unstinted efforts of the Director-General, which have now been crowned with unprecedented success, thanks to his unfailing courtesy, friendship and understanding. My delegation will never forget the Director-General's kindness; and when I go back to my homeland, I shall describe to my Government his priceless contribution.

Naturally, I would have appreciated a stronger and more definite wording in Article V of the draft Declaration, with a clearer explanation of the provisions concerning right of reply; but I understand that one cannot expect results that are a hundred per cent satisfactory from negotiations of this kind. I am convinced that the Director-General obtained the most he could within the limits of the desired consensus; and I am happy because we have begun an undertaking which, I hope, will lead to even greater achievements. Let us hope that the world one day will understand that there cannot be freedom of expression if we deny this same freedom to citizens and to governments. Thank you, Mr. Chairman.

37. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Egipto.

(37) The Chairman (Translation from the Spanish):

I thank the delegate of Malta and give the floor to the delegate of Egypt.

٣٨ — مندوب مصر :

السيد الرئيس، أود باسم مصر أن أعرب عن ترحيبي الكامل بهذا الاعلان الذى انتهينا الى الموافقة عليه منذ لحظات باجماع رائع وتاريخى ؛ كما أود أن أشارك الوفود الأخرى تقديرها للدور الهام الذى قام به المدير العام لليونسكو للتوصل الى هذا الاتفاق العام . وقبل ذلك فاننا نذكر جميعا الجهود المضنية التى بذلها المدير العام منذ دورة المؤتمر العام لليونسكو الثامنة عشرة ثم التاسعة عشرة ، ليقدم الى المؤتمر مشروعا ترضى عنه معظم الوفود ، حتى كان هذا المشروع الذى قدم الى الدورة الحالية والذى لم يجد مع ذلك اعلاما موضوعيا صحيحا عنه فى التعليقات التى نشرت بشأنه فى الصحف .

اننى احتفظ معى ، ياسيادة الرئيس، بكثير مما نشر من تعليقات على الاعلان الذى تضمنته الوثيقة ٢٠م/٢٠ معدلة ، ولاحظت بأسف وقلق أن هذه التعليقات لم تكن منصفة ، لانها بنيت على وقائع غير صحيحة ، ولعلها بنيت على

بعض النصوص التى كانت واردة فى مشروع الاعلان كما تضمنته الوثيقة ٢٠م/ ٢٠ . وهذه من الأمور التى تفتح اذهاننا يوما بعد يوم على أهمية الدور الذى تؤديه وسائل الاعلام .

أما الآن فقد نجحنا بفضل جهود المدير العام وتعاون الدول المختلفة فى الوصول الى مشروع جديد ، ورد اسمه فى الوثيقة التى عرضت علينا بأنه مشروع توفيقى . وأنا لا أوافق تماما على هذه التسمية . فالواقع أن هذا المشروع لم يتنازل عن أى مبدأ من المبادئ الأساسية التى اشتمل عليها المشروع الأول الذى تضمنته الوثيقة ٢٠م/ ٢٠ . وكل ماهنالك أنه دخل فى اعتباره اختلاف النظم السياسية والاجتماعية التى تنعكس بالضرورة على النظم الاعلامية فى كل دولة من الدول . ولهذا فاننى أستطيع أن أصف الاعلان الذى وافقنا عليه اليوم لا بأنه صيغة توفيقية بل بأنه صيغة مناسبة .

وانى اعتقد أن هذا الاعلان لايقلّ أهمية عن الاعلان العالمى لحقوق الانسان ، لانه تطبيق محدّد له فى نطاق معين هو نطاق الاعلام ، فان الدعوة العنصرية والدعوة للحرب العدوانية هما أكبر اعداء الانسان . وأعتقد ان ما يمكن أن تتوصل اليه اللجنة الدولية لدراسة مشكلات الاعلام المعروفة بلجنة مكبرايد ، والتى اتشرف بعضويتها من اقتراحات محددة تضمن التبادل المتوازن والتدفق العادل للمعلومات بين الدول النامية والمتقدمة ، بل فيما بين الدول جميعا ، النامية منها أو المتقدمة ، هى حلول قد تكون اضافة جديدة لدعم السلام .

وكل هذا ، ياسيدى الرئيس ، يلقى على اليونسكو دورا هاما فى دعم السلام والديمقراطية . وأهم مايجب أن نعنى به بعد ان انتهينا من اقرار هذا الاعلان بهذا الاجماع الرائع ، ان يعود كل منا الى بلده لينشر هذا الاعلان على نطاق واسع ويدرّس للشباب مع نفس المبادئ التى تدرس متعلقة بحقوق الانسان وفق ماانتهى اليه المؤتمر الذى دعت اليه اليونسكو فى سبتمبر/أيلول الماضى .

اننى لا أريد أن أتناول بالتحليل هذا الاعلان المناسب والممتاز فى هذه الظروف لانه حصل على موافقة اجماعية ، ولكنى أعتقد اننا فى حاجة الى عشرات من الدراسات والمقالات التحليلية التى تشرح مبادئه للرأى العام وتجعله متركزا مترسبا فى نفوس الشباب وفى نفوس المواطنين بصفة عامة ، دعما للسلام وللحرية وللديمقراطية . وشكرا ، ياسيدى الرئيس .

(38) The delegate of Egypt (Translation from the Arabic):

Mr. Chairman, on behalf of Egypt I should like to welcome the declaration which we have just approved in an impressive and indeed historic consensus. I should also like to associate myself with the remarks of previous speakers regarding the significant role played by the Director-General of Unesco in bringing that consensus about. As we all remember, he had been striving ever since the eighteenth session of the General Conference to produce a draft that could command the support of a majority of delegations. The eventual outcome was the draft submitted to the present session and, I am sorry to say, widely misrepresented in the press.

I have kept many of the comments published on the declaration contained in document 20 C/20 Rev., and have noted with regret and concern that they are unfair, being based on inaccurate information and perhaps in some cases on passages of the draft declaration as set out in document 20 C/20 in its unrevised form. Such incidents open our eyes, day after day, to the significance of the role played by the information media.

In any event, we have now succeeded, thanks to the efforts of the Director-General and the co-operation of the various States, in arriving at a new draft described in the document submitted to us as a compromise draft text. I am not quite in agreement with this description. In fact the revised draft does not relinquish any of the fundamental principles embodied in the earlier version. It simply takes into consideration the diversity of political and social systems necessarily reflected in the information systems of different States. I would therefore describe the declaration we have approved today not as a compromise version, but as a reasonable one.

I believe that this declaration is not less important than the Universal Declaration of Human Rights, being a specific application thereof in a certain domain namely the domain of information, inasmuch as war-mongering and the propagation for racialism are man's arch-enemies. And I blieve that the concrete proposals that could be arrived at by the International Commission for the Study of Communication Problems, of which I have the onour of being a member, with a view to ensuring a balanced exchange and a just flow of information between the developing and the developed countries - and indeed among all countries, whether developing or developed - could represent a further contribution to the strengthening of peace.

All this, Mr. Chairman, gives Unesco a significant role to play in the strengthening of peace and democracy. The most urgent task of each of us, now that we have approved this declaration by such an impressive consensus should be to return to his own country in order to give it the widest possible publicity and to ensure that it is taught to young people alongside the principles which are taught in connection with human rights, in accordance with the conclusions of the Conference convened by Unesco last September.

I do not propose at this time to embark on an analysis of the admirable declaration that we have unanimously approved, but I do believe that we need a large number of analytical studies and articles designed to explain its principles to public opinion and impress it upon the minds of young people, and indeed of citizens in general, for the strengthening of peace, liberty and democracy. Thank you, Mr. Chairman.

39. **El Presidente**:

Muchas gracias, señor delegado. Tiene la palabra el delegado de China.

(39) **The Chairman** (Translation from the Spanish):

I thank the delegate of Egypt, and give the floor to the delegate of China.

40. **The delegate of China** (Translation from the Chinese):

Mr. Chairman, we approve of document 20 C/20 Rev., and I would like to make some remarks in this regard.

We have noted that quite a few Member States, especially the developing countries, have expressed their hope that some guiding principles for the use of the mass media should be established in the world. We fully understand this justified demand of theirs. We have also noted that, to meet their demand, the Director-General and his colleagues have made great efforts to prepare a new draft Declaration acceptable as far as possible to all the parties concerned. The new text stresses that bilateral and multilateral exchanges of information among all States should be based on "equality of rights, mutual advantage and respect for the diversity of cultures". It also advocates that the mass media should contribute to the struggle against "colonialism, neo-colonialism, foreign occupation and all forms of racial discrimination and oppression". These views embody some of the basic principles to be followed in international press activities, and conform to the interests of the Member States. We hereby express our support for them.

At the same time, we should also like to point out that this draft Declaration still contains some ambiguous features. Here are two examples.

First, in the draft Declaration, the expression "freedom of information" occurs quite a number of times, but its meaning is not made sufficiently clear. We uphold the citizen's freedom of speech and the freedom of the press, which are clearly stipulated in our Constitution. But what we uphold is not sham but genuine freedom of the press, which conforms to the interests of the majority of nations and peoples in the world. We maintain that freedom and equality are inseparable. When men are not equal in respect of their social status, economic conditions and cultural levels, and when the views and press policies of one nation are imposed on other nations through powerful material means without showing any respect for their sovereignty, national and economic independence and cultural identity, this is inequality in itself, hindering the free flow and dissemination of information among peoples and nations.

Second, the wording "countering incitement to war" in the draft Declaration can be misleading. We love peace and have always been safeguarding world peace and fighting against wars of aggression. But there are just and unjust wars. We are resolutely opposed to unjust wars launched by war maniacs in order to control and plunder other countries, but we give our full support to the just wars waged by the oppressed peoples to safeguard their national independence and win national liberation. It has been our consistent stand to oppose the hegemonists' propaganda for the arms race, war preparation and expansion. But when peace-loving forces, in the light of the characteristics of the present international situation, point out the obviously increasing danger of war, expose the war instigators' plots and machinations and help people to see where threats of war originate and keep vigilant and forearmed against them, this information is conducive to putting off the outbreak of a new world war and contributes, in a dynamic way, to the safeguarding of world peace. The dissemination of information of this kind should, therefore, be greatly encouraged and advocated.

There are in the draft Declaration some other ambiguous formulations which give rise to differing interpretations. However, I will not elaborate on them here.

Furthermore, most of the conventions, declarations and resolutions mentioned in the preamble to the draft Declaration were adopted without our participation. We will have to examine them carefully before determining our attitude.

Thank you, Mr. Chairman.

41. **El Presidente**:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Sudán.

(41) **The Chairman** (Translation from the Spanish):

I thank the delegate of China; the delegate of Sudan has the floor.

٤٢ — **مندوب (السودان)** :

شكرا سيدى الرئيس . كنت أود التحدث قبل اعتماد المشروع لاؤيد باسم المجموعة العربية المشروع المقدم من السيد المدير العام . وقد اتخذت المجموعة العربية هذا القرار مستهدية بعدة مبادئ : أولها حرص المجموعة على أن ينال هذا المشروع موافقة اجماعية وألا تشذ دولة من الدول عن تأييده؛ وذلك لأن أساس هذا المشروع هو سلطة ادبية

وخلقية ، ولكى تكون هذه السلطة مقبولة وفعالة يجب أن تكون محل قبول ورضا كل الأعضاء . والمبدأ الثانى الذى استهدت به المجموعة هو أن المشروع يحتوى على أهم المبادئ التى ترضى الكثير من طموحات الدول النامية وتزيل فى الوقت نفسه المخاوف التى عبر عنها الزملاء الاعزاء من الدول الأخرى ، والذين يعيشون نظما سياسية واجتماعية قد تختلف عن تلك النظم السائدة فى الدول النامية . والمبدأ الثالث الذى استهدت به المجموعة هو أن المشروع فى صيغته الراهنة يشكل اطارا عاما للتعاون والتفاهم الدولى ، بل يفتح بابا لمزيد من التعاون فى المجالات الفنية والمهنية والقانونية والمالية .

وبالنظر للموافقة على هذا المشروع بهذا الاجماع الرائع فانى أرى لزاما علىّ أن اشيد بهذا القرار التاريخى الذى اتخذ فى هذه الغرفة باعتباره انتصارا لليونسكو ومبادئها العظيمة ، كما هو انتصار لمبدأ الاتفاق والاجماع على مبدأ الفرقة ، لان مثل هذا الانتصار أمر أساسى وضرورى لتعزيز التفاهم الدولى . ثم هو فى الوقت نفسه انتصار للتفكير الموضوعى المتجرد وانتصار لمبدأ احترام وجهة نظر الطرف الآخر .

سيدى الرئيس، أرى لزاما علىّ فى هذه اللحظة التاريخية أن اتقدم بوافر الشكر وجزيل الثناء الى السيد المدير العام على الجهد الكبير الجاد الذى بذله منذ أن طرح هذا المشروع فى صيغته الأولى على المؤتمرات السابقة والى الآن . وأودّ أن اشيد أيضا بما بدا لنا من المدير العام فى اجتماعاتنا معه من حرص أكيد على احترام كل وجهة نظر من وجهات النظر التى تم التعبير عنها ، ثم محاولة التوفيق بين كل وجهات النظر ، وقد كان فى كل ذلك صبورا ورقيقا مع كل جهة من الجهات . كما أود أن أتقدم بالشكر الى السادة أعضاء السكرتارية على مابذلوه من جهود مقدرة ومن دراسات مضنية ومن استقصاء للحقائق ومن محاولة لصياغة المشروع صياغة ترضى كل الأطراف . كما أتقدم بالشكر والاشادة باسم المجموعة العربية وباسم وفد السودان الى أعضاء المجموعات المختلفة الذين تميزت مناقشاتهم بالموضوعية وبالاستعداد لسماع وجهة نظر الطرف الآخر وبحرص حقيقى على احترام المبادئ المضمنة فى هذا الاعلان .

سيدى الرئيس، ان ماتم اقراره فى هذه الغرفة يعتبر تقليدا جديدا لليونسكو نرجو أن نتبعه فى المشاكل الدولية الأخرى التى ستكون محل بحث فى هذا المؤتمر وفى المؤتمرات التالية .

وفى هذه المناسبة أود أن اخاطب ممثلى وسائل الاعلام فى العالم والتى هى ممثلة الآن فى هذه الغرفة أو فى أروقة المؤتمر الأخرى ، وأن أطلب اليهم أن ينقلوا نقلا واضحا هذه اللحظة النبيلة وأن يتفهموا الدوافع الشريفة وراء هذا المشروع، وأن يطلعوا كل قارئ ومستمع فى العالم على هذا الاجماع الدولى الرائع . كما أطلب منهم أن يعملوا على نشر المبادئ الهامة التى تضمنها هذا المشروع، مؤكدا لهم ان احترام حرية التفكير والتعبير والنشر أمر ضرورى نجلّه ونقدره بل نسعى جاهدين فى كل دولنا نامية أو غير نامية الى تعزيزه وخلق المناخ الملائم للممارسات التى تدعمه .

سيدى الرئيس، وفى نهاية كلمتى أود أن اهنئ هذه الدورة على هذا القرار التاريخى وأن أهنئ الزملاء الافاضل على هذا الجهد الذى تكلّل بنجاح أكيد . شكرا ، سيدى الرئيس .

(42) The delegate of Sudan (Translation from the Arabic):

Thank you, Mr. Chairman. I had hoped to speak before the draft submitted by the Director-General was adopted, in order to support it on behalf of the Arab Group. In deciding to support this draft, the Arab Group was guided by several considerations, the first of which was the desire to have the draft unanimously approved without a single dissenting voice since the ethical and moral authority which forms its basis must be acceptable and satisfactory to all Member States in order to be recognized and effective. The second consideration which guided the Group was that the draft embodies essential principles which satisfy many of the aspirations of the developing countries and at the same time allay the apprehensions voiced by our distinguished colleagues from other countries with political and social systems which may differ from those prevailing in the developing countries. The third consideration which guided the Group was that the draft, in its present wording, constitutes a general framework for international co-operation and understanding, and paves the way for still wider co-operation in the technical, professional, legal and financial fields.

The adoption of this historic declaration with such impressive unanimity represents a victory for Unesco and its exalted principles; a victory for the principle of agreement and unanimity as against the principle of disunion and hence a major contribution to the strengthening of international understanding; a victory for impartial, objective thinking; and a victory for the principle of respect for the other party's opinion.

Mr. Chairman, I consider it my duty at this historic moment to pay tribute to the Director-General for his tireless endeavours from the time this draft was submitted to previous conferences in its original wording up to now, for his determination throughout our meetings with him, to respect every opinion expressed and to seek to reconcile all views, and for the unfailing patience and courtesy he displayed towards all concerned. I should also like to thank the members of the Secretariat for all the effort and study they devoted to the task of producing a draft acceptable to all parties. Finally, on behalf of the Arab Group and the delegation of Sudan, I should like to pay tribute to the members of the various groups whose discussions were characterized by objectivity, willingness to listen to the other party's view and a genuine respect for the principles embodied in this declaration.

Mr. Chairman, what has been accomplished in this room may be regarded as constituting a new tradition for Unesco - one which we hope will be followed in the case of other international problems which are examined by this Conference or by future conferences.

In this connection I should like to address the representatives of the world's information media present here or elsewhere in this Conference and ask them to report this historic moment clearly and prominently, to understand the honourable motives underlying the draft we have adopted, and to make readers and listeners throughout the world aware of this wonderful example of international unanimity. I would also ask them to endeavour to propagate the important principles embodied in this draft; and I would assure them that respect for freedom of thought, expression and publication is a vital principle which we not only venerate and admire but which we actively strive to promote in all our countries, whether developing or developed, through the creation of a climate in which it can flourish.

In conclusion, Mr. Chairman, I should like once again to congratulate all concerned on the adoption of this historic resolution and to pay tribute to my esteemed colleagues for an endeavour which has been crowned with such signal success. Thank you, Mr. Chairman.

43. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Togo.

(43) The Chairman (Translation from the Spanish):

I thank the delegate of Sudan, and give the floor to the delegate of Togo.

44. Le délégué du Togo :

Merci, Monsieur le Président. S'il est vrai que nous avons eu des divergences de conception sur certains points de notre programme de travail, il faut reconnaître cependant que cet état de choses peut être considéré comme bénéfique, comme un processus normal pour arriver à un consensus. Mais le seul fait que nous sommes réunis à cette Conférence prouve que nous sommes liés par un certain nombre de principes fondamentaux. Monsieur le Directeur général, cette déclaration, dont la profondeur et la clarté ne font aucun doute, exprime tous les nobles sentiments qui nous unissent. Nous vous en remercions. Ce texte est un acte de foi et cet acte de foi, nous y adhérons profondément. Un homme qui a les responsabilités que vous avez ne peut travailler sans foi - foi dans les idéaux qui nous unissent, foi en la valeur de l'homme, foi en l'avenir de l'humanité. On dit chez moi que "l'aveugle court après le trésor qu'il a à ses pieds". Nous n'avons pas agi comme l'aveugle : nous avons eu devant nous un texte qui exprime assez notre idéal. Nous l'avons acclamé et adopté. Puisse son application dans chacun de nos pays être à la mesure de nos espoirs. Quelles que soient les tribulations dont nous avons pu souffrir à travers notre histoire, notre délégation estime qu'en ce qui concerne l'action de l'Unesco, nous nous acheminons lentement, mais résolument, vers un monde meilleur. Nous rendons donc hommage au Directeur général pour le texte proposé et le félicitons pour son courage, son abnégation et sa permanente disponibilité. Nous remercions aussi ses collaborateurs et le président de notre Commission pour la patience et l'autorité dont il a su faire preuve. Nous voudrions enfin remercier tous les pays réunis au sein de notre Commission qui ont accepté d'approuver par acclamation cette noble déclaration. Merci, Monsieur le Président.

45. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Italia.

(45) The Chairman (Translation from the Spanish):

I thank the delegate of Togo, and give the floor to the delegate of Italy.

46. Le délégué de l'Italie :

Merci, Monsieur le Président. J'avais déjà demandé la parole pour m'associer aux orateurs qui avaient suggéré que la déclaration soit approuvée par consensus. La procédure suivie a fait que je parle seulement maintenant. Je désire profiter de cette occasion pour joindre mes sentiments de satisfaction à ceux qu'a manifestés la Commission tout entière au moment de l'approbation du texte révisé que le Directeur général nous a proposé.

Je désire également saisir cette occasion pour exprimer au Directeur général notre sincère gratitude pour les efforts inlassables qu'il a déployés en vue d'arriver à un texte de déclaration susceptible d'obtenir l'approbation de la grande majorité des Etats membres qui, finalement, a été approuvé par acclamation. Je voudrais également exprimer mon appréciation à tous ceux qui ont participé à cet effort, notamment le président de la Conférence générale qui nous a apporté appui et encouragement, et à vous personnellement, Monsieur le Président de la Commission IV. Je dois aussi rendre hommage à l'esprit de bonne volonté et de conciliation qui a animé toutes les délégations associées aux consultations. Ces consultations, comme l'a dit le Directeur général, ont été longues et ont nécessité une grande persévérance. Je voudrais ajouter que parfois elles ont été difficiles. Mais le résultat a été positif et nous ne pouvons que nous en féliciter. Je vous remercie, Monsieur le Président.

47. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de la República Socialista de Viet Nam.

(47) The Chairman (Translation from the Spanish):

I thank the delegate of Italy; the delegate of the Socialist Republic of Viet Nam has the floor.

48. Le délégué de la République socialiste du Viet Nam :

Monsieur le Président, Monsieur le Directeur général, comme toutes les délégations, nous avons appuyé sans réserve la proposition du Directeur général. Pour contribuer au succès de notre Conférence et dans un esprit de large coopération et de solidarité, la délégation de la République socialiste du Viet Nam a accepté le texte de compromis présenté par le Directeur général à qui nous tenons à rendre un hommage ému pour sa bonne volonté et la persévérance dont il a fait preuve dans la recherche d'une solution acceptable par tous.

Pour notre part, nous estimons que le texte que nous venons d'adopter tient compte, dans une certaine mesure, de nos préoccupations majeures. Nous avons donc pris nos responsabilités et accepté ce texte en tant que solution, admissible par l'ensemble des délégations, du problème posé à ce stade de nos négociations.

Cela dit, permettez-nous de faire quelques réflexions qui ne s'adressent pas au Directeur général dont nous apprécions la position, mais plutôt à certaines délégations dont nous avons en mémoire l'attitude au moment des négociations. Premièrement, les droits de l'homme figurent dans le titre même, ce sur quoi nous sommes d'accord, mais nous aimerions que les droits des peuples soient davantage mis en relief par toutes les délégations, car droits de l'homme et droits des peuples sont comme vous le savez intimement liés. Dans bien des cas, sinon toujours, le respect des droits des peuples est la condition sine qua non de l'exercice des droits de l'homme. Un grand nombre de pays ici représentés ont trop souffert du colonialisme et du néo-colonialisme pour ne pas le savoir.

Deuxièmement, on insiste énormément sur la libre circulation de l'information et sur la liberté d'expression. C'est bien, mais on parle trop peu de la responsabilité des journalistes et des agences d'information. Nous répétons tous autant que nous sommes qu'il faut plus de justice dans le monde, plus de justice dans l'information ; la justice est ordinairement représentée par une balance. Que dans un des deux plateaux de la balance, vous mettiez la liberté, nous en sommes complètement d'accord. Nous qui avons lutté trente années durant, qui avons lutté presque tout au long de notre histoire pour la liberté, comment pourrions-nous refuser de mettre la liberté d'expression sur un des plateaux de la balance ? Mais alors, sur l'autre plateau, il faut mettre la responsabilité des journalistes et des agences d'information. Nous sommes à une époque où la science et la technique ont fait des progrès inouïs ; mais science sans conscience n'est que ruine de l'âme. Ce n'est pas être anachronique que de rappeler cette belle et sage pensée au moment où les techniques d'information sont devenues des merveilles, mais aussi des choses terrifiantes. Plus la science progresse, plus les techniques dans le domaine de l'information deviennent puissantes, plus il faut y mettre de l'âme, plus il faut prendre ses responsabilités à leur égard, car la liberté n'a pas de sens si elle ne s'accompagne pas de la prise de conscience de ses responsabilités.

Droits de l'homme et droits des peuples, liberté et responsabilité doivent s'équilibrer si l'on veut aboutir réellement à une circulation libre et équilibrée de l'information, si l'on veut que s'instaure un nouveau langage international de l'information plus juste et plus efficace, ce que nous souhaitons tous.

Nous profitons de l'occasion qui nous est offerte pour dire nos remerciements sincères et notre profonde reconnaissance aux journalistes, aux personnels de l'information, à certaines agences d'information, aux écrivains et aux artistes qui ont relaté avec objectivité, avec responsabilité, notre longue lutte pour l'indépendance et la liberté et qui ont ainsi contribué à la victoire de notre juste cause.

Monsieur le Président, Monsieur le Directeur général, chers collègues, en approuvant ce texte de compromis auquel le Directeur général a su donner le titre qui convient, nous avons fait un pas en avant. Espérons qu'à la vingt et unième session et aux sessions suivantes nous ferons ensemble d'autres pas en avant, assumant ainsi pleinement les responsabilités qui sont les nôtres. Merci, Monsieur le Président.

49. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Filipinas.

(49) The Chairman (Translation from the Spanish):

I thank the delegate of the Socialist Republic of Viet Nam, and give the floor to the delegate of the Philippines.

50. The delegate of the Philippines:

Mr. Chairman, fellow delegates and friends: I do not wish to introduce a sour note into the euphoria of what many of us in this room have rightly described as an historic moment. I merely wish to express certain reservations corresponding both to my personal conviction and to the policy of my Government on this important issue.

May I first thank the Director-General for his praiseworthy efforts in elaborating the draft Declaration just approved by acclamation by this honourable body. I can appreciate the pressures to which he has been subjected during the past few days, especially from forces which sought a confrontation among Member States and calculated that confrontation would surely negate any effort at

writing such a Declaration; we are all aware now of this problem. We are sensitive to the Director-General's expression of gratitude for the friendship addressed to him, but let us remind him that this friendship is the direct result of the friendship and warmth that he himself has from the outset and consistently extended to us all.

Mr. Chairman, although we would have voted in favour of the draft just approved if there had been a vote on it, we wish to place on record our reservations concerning the following parts of the Declaration, namely: paragraph 11 of the preamble; paragraphs 1 and 4 of Article II; paragraph 2 of Article III; part of Article IV; Article IX; paragraphs 2 and 4 of Article X.

Mr. Chairman, I am sincerely perplexed that a number of ideas and sentiments embodied in the initial draft in document 20 C/20 have been deliberately removed from the paragraphs and Articles to which I have just referred. Thus, the final sentence in the original draft of paragraph 1 of Article II, which read "It [the exercise of freedom of opinion, expression and information] confers special responsibilities and duties on the mass media" has disappeared. The modifying phrase in reference to the exercise of the profession of journalists and other agents of the mass media, which read "with conscientiousness and impartiality" has disappeared from paragraph 4 of the same Article. The important requirements expressed in the phrase "accurate, complete and impartial information" in paragraph 2 of what was initially Article XI have been completely discarded from the present Article X.

I have tried to examine in my mind the reason for, and reasonableness of, the decision to dispense with all these phrases, which spell out quite objectively the duties, and the simple principles of the responsibilities, that mass media practitioners, like all other elements of society, should assume and exercise in the international community. Why are mass media practitioners and the decision-makers that deploy their forces exempted from any definition of duties? I share the belief that journalists are important and that they fulfil useful functions in society; but are they a special class of men and institutions above and beyond the purview of laws and international covenants? If this is the case, then what is it that placed them in such an exalted position? Is it their superior intellect or wisdom? Is it their superior moral qualifications? Is it a special mandate from heaven? What is it? I am honestly lost for an answer.

Perhaps, this is neither the time nor place to press for a reply to these questions, but in the spirit of free inquiry which the Declaration just approved enshrines, permit me to say they must be asked at any time, at any place and of anyone, including mass media practitioners. Thank you very much, Mr. Chairman.

51. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Australia.

(51) The Chairman (Translation from the Spanish):

I thank the delegate of the Philippines, and give the floor to the delegate of Australia.

52. The delegate of Australia:

Thank you, Mr. Chairman. It is a matter of great satisfaction to my delegation that we in this Commission have succeeded today in adopting by acclamation the text of the draft Declaration on the Mass Media. This is a step of major importance for our Organization, and we welcome it in the true spirit of consensus. In the process, each of us has had to ascertain that our basic principles and objectives were respected in the final wording, while at the same time being prepared to acknowledge provisions regarded as essential by others. Australia's Foreign Minister put our position clearly in a formal statement which he made to Parliament on 8 November; and he has encouraged us to work with other delegations in developing an acceptable text at this session of the General Conference.

For us, Mr. Chairman, it was essential to obtain a text which encouraged the free flow of information from a diversity of sources and from which all implications of government control of the media had been removed. We also sought provisions which would ensure to journalists the best possible conditions for the exercise of their profession. Furthermore, we have strongly supported the inclusion of clauses recognizing that the mass media of developing countries should have conditions and resources which would permit them to gain strength and expand and to co-operate both between themselves and with the media of developed countries. We are very pleased that the final text does contain such provisions, and we have noted with satisfaction during this debate that other delegations are equally satisfied with the contents. In the interests of Unesco too, Mr. Chairman, we are pleased that the Declaration has obtained such wide support.

One of Unesco's constitutional objectives is to promote the free flow of ideas by word and image: this Declaration marks a significant step in that direction. With the Declaration now adopted, Mr. Chairman, we look forward to continuing our participation in efforts to develop the information and communication infrastructures in Member States and particularly in developing countries. The work plan already adopted by this Commission and the new initiatives adopted early this morning provide a framework for practical co-operation in the future. Australia stands ready to assist where it can in this important work. Thank you, Mr. Chairman.

53. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Gabón.

(53) **The Chairman** (Translation from the Spanish):

I thank the delegate of Australia; the delegate of Gabon has the floor.

54. Le délégué du Gabon :

Je vous remercie, Monsieur le Président. La délégation du Gabon voudrait, elle aussi, exprimer son opinion sur l'événement qui vient de se produire il y a quelques instants dans cette salle, et qui marque une étape certainement importante dans l'histoire et l'évolution de notre Organisation. Nous affirmons que le moment est historique et que la décision que nous venons de prendre a une valeur éthique en ce sens que la question posée était l'une des plus controversées.

Monsieur le Président, la délégation gabonaise voudrait exprimer ici toute sa fierté et la joie qu'elle éprouve du fait que nous soyons parvenus à un consensus à propos du nouvel ordre de l'information et des problèmes connexes qu'il soulève pour ce qui est de la communication. Nous voudrions rendre un vibrant hommage à la communauté mondiale ici rassemblée qui a administré la preuve éclatante que l'humanité peut, lorsqu'elle exprime une volonté unanime, obtenir des résultats qui vont dans le sens de l'évolution qui doit être la sienne. La déclaration constitue effectivement un acte de foi qui repose sur le dialogue. Monsieur le Président, le dialogue est effectivement une vertu cardinale qui a permis aujourd'hui de faire en sorte que les positions divergentes convergent et que la diversité des opinions se transforme en unanimité. Notre délégation a suivi de très près le cheminement des négociations qui ont abouti à la rédaction de ce texte désormais historique et nous saluons la volonté exprimée par les uns et les autres, malgré de légitimes divergences d'opinion, d'assouplir leurs positions pour faire preuve d'un esprit universaliste.

Monsieur le Président, nous voudrions souligner que ce résultat est dû avant tout à l'action du Directeur général de notre Organisation. Monsieur le Directeur général, la délégation gabonaise félicite et salue l'homme de courage que vous êtes, l'homme qui a réussi à faire en sorte que les divergences convergent et que les diversités s'unifient. Le Gabon est d'autant plus fier de ce résultat que le Directeur général, vaillant fils de l'Afrique, a mis en pratique les méthodes et la philosophie de nos ancêtres qui, dans le cadre de ce que nous appelons le dimba, à savoir le conseil des sages, parvenaient dans tous les cas à un résultat qui ralliait l'unanimité des suffrages. Le dimba, c'est la méthode que vous avez instaurée depuis la dix-neuvième session de l'Unesco à Nairobi et qu'on a saluée en parlant de l'esprit de Nairobi. Grâce à elle, nous pouvons dire aujourd'hui que règne dans cette salle l'esprit de Paris, cette conception fondée sur le dialogue que vous avez su imposer par votre courage, votre clairvoyance et votre lucidité. Le fait que, pour la première fois, notre Organisation ait à sa tête un Africain doit être considéré comme la preuve que la diversité peut effectivement devenir unicité. Cette unicité, nous la démontrons tous ensemble aujourd'hui et je crois, Monsieur le Président, qu'il ne faudrait pas seulement considérer la lettre du texte que nous venons d'adopter par consensus mais surtout l'esprit qui a animé chacun de nous, pour démontrer que l'Unesco occupe une place particulière dans l'ensemble du système des Nations Unies, à l'avant-garde sur la voie que l'humanité s'est tracée. Notre destin est un destin commun et notre devenir doit se fonder sur la solidarité agissante afin que triomphe la volonté des Etats membres d'édifier un monde qui soit plus juste et que triomphent la fraternité et l'amitié entre les peuples.

Comme vous l'avez dit, Monsieur le Directeur général, cette amitié n'est pas un vain mot ; tout à l'heure, lorsque nous avons approuvé le texte du projet de déclaration par acclamation, nous avons pu constater votre émotion, une émotion qui exprimait non pas la tristesse, mais une profonde joie. Cette amitié, nous la partageons, et elle inspirera l'évolution qui doit être celle de notre Organisation, qui est certainement le centre d'impulsion de la réflexion et de l'esprit, de l'intelligence, enfin de l'éthique qui doit gouverner le monde de demain. Sans cette amitié, nous ne pourrons certainement pas réaliser la finalité de toute notre action, à savoir la construction de la paix entre les nations, qui passe par l'information et la communication. Je vous remercie, Monsieur le Président.

55. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Austria.

(55) **The Chairman** (Translation from the Spanish):

I thank the delegate of Gabon, and give the floor to the delegate of Austria.

56. The delegate of Austria:

Mr. Chairman, Austria is fully aware of the justified aspirations of the developing countries towards fuller participation in the world-wide flow of information. This awareness is demonstrated by our aid and co-operation in projects designed to that end and by our constructive attitude with regard to deliberations on related issues. As far as the revised version of document 20 C/20 is concerned, we first wish to express our appreciation to the Director-General and to all those who through their untiring efforts have contributed to the drafting of this complex text.

Although Austria largely shares the general objective pursued by this Declaration, particularly with regard to freedom of information as a human right, free reporting, the protection of journalists and the diversity of sources of information, our constitutional and legal situation compels us to voice certain reservations with regard to the text.

In the first place, Austria has not adhered to the International Convention on the Suppression and Punishment of the Crime of Apartheid, as it is incompatible with our legal system. This consideration also applies to the implementation of the respective passage of the present Declaration.

Secondly, the freedom of the media which is protected by the Constitution of Austria does not allow for any possibility of influencing the media through legal or administrative measures.

Furthermore, several formulations contained in the text of the Declaration, such as "better balanced dissemination of information" or "a new equilibrium and greater reciprocity", may - we believe - lend themselves to differing interpretations which might not be compatible with our basic principles. We shall interpret these passages in a way that is compatible with our Constitutional law. This observation relates in particular to Articles I, VI and IX, and paragraph 2 of Article X.

With regard to the references to the role and contribution of the mass media in Article I, in paragraph 3 of Article II, in paragraphs 1 and 2 of Article III, in Article IV and in Article VII, it is our understanding that these are factual statements and not demands.

As regards the publication of a reply to an untruthful presentation of facts concerning individual persons, there already exists in Austria, in the sense of Article V, the legal possibility for the person concerned to obtain, with court assistance, the publication of a reply. On the other hand, freedom of the press and of the other media, in accordance with our legislation, implies that the State authorities are precluded from enforcing publication of an expression of opinion, be it on their own behalf or on behalf of a third party.

Finally, Mr. Chairman, Article IX is viewed by us as the basis for further deliberations concerning the most suitable ways of assisting developing countries in strengthening their mass media. Thank you, Mr. Chairman.

57. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Canadá.

(57) The Chairman (Translation from the Spanish):

I thank the delegate of Austria, and give the floor to the delegate of Canada.

58. Le délégué du Canada :

Monsieur le Président, j'aime bien l'expression que vient d'employer l'honorable délégué du Gabon pour décrire les deux succès inattendus, inespérés que nous venons ensemble de remporter : l'approbation à l'unanimité, malgré les très grandes difficultés rencontrées, de deux déclarations de la plus haute importance, la déclaration sur la race et la déclaration sur les moyens d'information.

L'honorable délégué du Gabon a parlé de l'esprit de Paris. Je souhaite, quant à moi, que cette expression passe dans la langue et dans les moeurs pour rappeler les réussites les plus prestigieuses de la vingtième session. La délégation du Canada adresse ses félicitations au Directeur général et à ses collaborateurs, en particulier à M. Boissier-Palun, à vous, Monsieur le Président, et aux délégués qui ont négocié dans l'ombre en notre nom avec sagesse et ténacité le texte qui vient d'être adopté. A cet égard, je tiens à signaler l'action positive qu'ont exercée dans le groupe dont je fais partie les délégués de l'Italie, des Etats-Unis et de la République fédérale allemande, ainsi que le délégué de la Suisse, action qui s'est révélée décisive. Ils étaient à la peine ; il convient qu'ils soient à l'honneur.

L'intention première de ceux qui avaient rédigé le premier projet de déclaration sur les moyens de grande information a disparu presque complètement sous les atténuations et les allégements qui lui ont été apportés et en raison de la transformation radicale qu'il a subie ces derniers jours. Pendant toute la période d'élaboration du texte, qui a duré de longues années, cette intention n'avait pas varié. Il s'agissait d'étendre au monde entier le régime auquel les médias sont assujettis à l'heure actuelle dans les Etats où le gouvernement se réserve le monopole de l'information. A l'égard de tous les systèmes de communication, la propriété collective a remplacé dans ces pays la propriété privée. Les journaux et revues y sont publiés par des organisations relevant du parti unique, qui a pour mandat d'instruire et de guider les masses non seulement dans les tâches quotidiennes et les entreprises collectives, mais aussi en ce qui concerne l'éthique et l'esthétique. Il lui incombe en outre de dénoncer les attitudes qui sont répréhensibles aux yeux du pouvoir et d'indiquer les lignes de conduite à suivre. Les personnels des services de presse se sentent investis de la mission de seconder le parti et de lutter contre les mouvements et les idéologies qu'il désigne à leurs attaques.

Au Canada, comme dans la plupart des démocraties situées sur le pourtour de l'Atlantique nord, il en va tout autrement. Certes, mes concitoyens savent qu'il existe des risques d'abus lorsque les organes de grande information appartiennent à des particuliers. Ce danger leur paraît pourtant moins grave que celui auquel ils seraient exposés s'ils s'en remettaient à un groupe de bureaucrates pour décider de ce qui doit être dit ou de ce qui ne doit pas être dit. Il y a donc deux thèses en présence : d'un côté, des gouvernements qui entendent utiliser les moyens de grande information pour mobiliser les intelligences et les volontés en vue de réalisations d'ensemble. De l'autre, des gouvernements qui se gardent d'intervenir dans la gestion ou l'orientation des moyens de grande information puisqu'ils ont besoin de connaître les aspirations de la société, d'en être instruits par une opinion publique fondée sur une presse libre. Les directives que le gouvernement canadien peut, à l'occasion, donner aux médias sont d'ordre purement technique. Elles ne visent en aucun cas le

contenu des journaux, ni celui des émissions de radio et de télévision. Comment départager les tenants de ces systèmes opposés ? Pour les Canadiens, la liberté des personnes n'est pas nécessairement garantie par l'indépendance des Etats. La justice n'est pas affaire d'arithmétique et la vérité ne se définit pas à la majorité des voix.

Nous avons sans doute tous eu tort de hisser pendant longtemps le débat au troisième degré d'abstraction, comme dirait Aristote, celui où règnent les idées désincarnées. A une telle hauteur, les discussions perdent de leur contact avec le réel. Nous savons que les inégalités actuelles se corrigeront par des mesures pratiques et non par des syllogismes ou des voeux pieux. Nous venons d'adopter un texte où persistent des ambiguïtés et des équivoques. Cependant, il se trouve débarrassé de l'esprit de paternalisme et de dirigisme qui rendait les projets antérieurs inacceptables aux yeux de la délégation du Canada. Il n'est plus entaché de l'erreur qui consiste à demander aux gouvernements de parer aux déficiences des systèmes de communication par des lois, des règlements et des directives tendant à brimer les journalistes.

Tout en reconnaissant les faiblesses qu'il renferme et sur lesquelles le Directeur général a attiré notre attention, la délégation du Canada a voulu se joindre au consensus proposé dans l'espoir que ce texte ouvrira la voie à des solutions pragmatiques et respectueuses de la liberté d'expression, principe de base sur lequel mes compatriotes ne peuvent pas transiger, pierre d'angle et pierre de touche de la démocratie telle qu'elle est entendue dans mon pays. Merci, Monsieur le Président.

59. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Yugoslavia.

(59) The Chairman (Translation from the Spanish):

I thank the delegate of Canada, and give the floor to the delegate of Yugoslavia.

60. The delegate of Yugoslavia:

Mr. Chairman, Mr. Director-General, ladies and gentlemen: During the days that preceded the adoption of this Declaration, the Yugoslav delegation, together with representatives of other non-aligned and developing countries, took part in many discussions on the subject, and strove for an agreement which would make it possible to adopt the document by consensus. In so doing, we were convinced that the moral and political authority of the Declaration would be so much the greater if it were largely accepted as a result of general will and agreement.

We are glad that we have achieved this result, and I would like to join in the expressions of congratulation to the Director-General, who personally entered into action to help in the search for a consensus. I should like to take the opportunity of reiterating my expression of recognition to Mr. Masmoudi, the distinguished delegate of Tunisia, the country which is now assuming the role of co-ordinator in the field of information among the non-aligned countries. On behalf of the Group of 77, he made an enormous contribution to the negotiations and was a tireless interpreter of our views.

Mr. Chairman, we are well aware that the preparation of this Declaration was no easy undertaking. It was rendered even more difficult by the fact that conflicting issues from other domains of international life could not be set aside and often diverted our discussion away from the essence of the problem. I will not return to dwell upon the negative influences of all kinds which made their appearance and which often created in world opinion a distorted impression of what was being done and what was aimed at, but merely express the hope that this Declaration, after being adopted by such an impressive consensus, will now receive sufficient publicity for the public at large and especially those who are most concerned - the journalists - to obtain a correct idea of its intentions and its content.

Mr. Chairman, the United Nations General Assembly will shortly be starting its own discussion on the subject of information. We hope that the adoption of this Declaration will stimulate more efficient action by the United Nations in this field, particularly with regard to the establishment of a new international information order, the idea of which which has been so strongly supported by a great number of delegations at this General Conference. As we have already stated in the debate on the programme, this objective represents an essential element of the struggle for new, more equal and democratic international relations and for new, more just human relations in our society.

Mr. Chairman, I have been authorized to state, on behalf of the Yugoslav delegation, that we shall strive for full implementation of the principles of this Declaration in our country, and for the general achievement of its goals. Thank you, Mr. Chairman.

61. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado del Japón.

(61) The Chairman (Translation from the Spanish):

I thank the delegate of Yugoslavia, and give the floor to the delegate of Japan.

62. The delegate of Japan:

Mr. Chairman, in the general policy debate, Mr. Sunada, our Minister of Education and head of the Japanese delegation, stated with regard to the draft Declaration on the Mass Media that a cautious but constructive approach should be made so that we may arrive at a meaningful consensus on this subject. We are glad to note, therefore, that the Declaration has now been adopted by consensus after the lengthy and patient negotiations that have taken place.

The text now adopted shows a significant improvement over the original text and will dispel most of the misgivings entertained by mass media people throughout the world when the original draft was submitted to Member States more than two months ago. I should like to pay a tribute to the Director-General and those who have collaborated with him for their strenuous efforts to ensure that the broadest agreement was reached at this Conference. Thank you, Mr. Chairman.

63. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Cuba.

(63) The Chairman (Translation from the Spanish):

I thank the delegate of Japan. The delegate of Cuba has the floor.

64. El delegado de Cuba:

Señor Presidente, queremos reconocer la eminente labor de intercambio, difusión y movilización en torno al proyecto de declaración y al nuevo orden internacional de la información, llevada a cabo con resuelto valor y determinación por la Unesco y su Director General, señor Amadou-Mahtar M'Bow.

Queremos sobre todo subrayar la especial participación y el aliento constante, en todo sentido ejemplar e inspirador, del señor Director General que nos ha mostrado con agudeza su significación para el desarrollo, así como la incierta perspectiva que un mundo conectado, no por países con determinación autónoma, sino por empresas supranacionales, podría tener para la educación, la ciencia y la cultura.

Situar este tema fundamental en el centro de la discusión internacional, afrontar la incomprensión y el rechazo de los grandes intereses que se mueven en este sector y contribuir a encontrar soluciones aceptables es un mérito histórico cuya magnitud aún no podemos medir.

Nunca antes había sido tan necesario para los países desfavorecidos y en vías de desarrollo contar con perspectivas que garanticen su autonomía de expresión y la identidad de su propia cultura.

Lo que revela el carácter interdisciplinario e intersectorial que tiene hoy la información es que un número elevado de naciones no sólo carecen aún de infraestructura apropiada a los fines de la difusión, sino que incluso están desprovistas de políticas articuladas de información, educación y cultura.

Nunca en la historia de la Unesco y del sistema de las Naciones Unidas proyecto alguno ha sido más tergiversado y malentendido desde su misma enunciación. Ni siquiera la continuada explicación de sus objetivos por este organismo internacional lo ha salvado de una campaña acerca de la cual previno el Viceprimer Ministro de Cuba, Dr. Carlos Rafael Rodríguez, en ocasión de la segunda reunión del Consejo Intergubernamental de Coordinación de la Información entre los Países No Alineados.

Queremos evocar que, considerándolo como un paso favorecedor del nuevo orden internacional de la información y del nuevo orden económico internacional, el movimiento de los países no alineados decidió en esa ocasión, por unanimidad, respaldar una Declaración de principios sobre los medios de comunicación massas, que expresara sus aspiraciones de entendimiento y respeto mutuo, en el marco de una circulación equilibrada y objetiva de noticias y mensajes entre todas las naciones.

Es significativo que este consenso de casi 100 países que tuvo lugar en abril de este año fuera ratificado inmediatamente después en las Conferencias de Cancilleres celebradas en Belgrado y La Habana, en consonancia con los principios que dieron origen al movimiento.

Es por todo ello que reconocemos el esfuerzo del Director General y de nuestros estimados colegas para pensar en los altos destinos de la humanidad y analizar sin prejuicios políticos la conveniencia de contribuir a que la información en vías de ser superada por la teleinformática, sea un medio liberador del hombre y no un obstáculo a su solidaridad.

Su rol y función están dados por los principios de universalidad plasmados en la Carta de las Naciones Unidas y en la Constitución de la Unesco. No rechazamos el derecho al uso de una tecnología imprescindible, aplicable ya a todas las actividades y necesidades de la sociedad, pero señalamos la conveniencia de explorarla y aplicarla con plena conciencia de sus implicaciones generales a corto y largo plazo, es decir, con la noción y el cálculo previsor que sus efectos pueden tener sobre el contexto social en situaciones de dependencia.

El impacto de las nuevas tecnologías borra para siempre los conceptos tradicionales y excluyentes de frontera y nación. Por ello mismo, obliga a la búsqueda y revitalización de la identidad y a la preservación de nuestras mejores tradiciones y modos de vida. No permitamos que estos medios, capaces de dimensionar y liberar al hombre, sean utilizados para reforzar políticas mercantilistas que estimulan la disociación entre los hombres y el acrecentamiento insensato de bienes personales. La esencia de la información no es la escueta transmisión de noticias sin contexto y contenido sino el conocimiento enriquecedor como factor motriz para el acercamiento y el desarrollo.

Por sobre las diferencias que puedan existir en un mundo calificado de pluralista, hagamos que esta 20a. reunión de la Conferencia General marque un hito en favor de la comprensión y el respeto mutuo entre los países con distintos sistemas sociales y gobiernos. Demos al mundo la esperanza de que en la perspectiva de la sociedad informatizada que se nos avecina, este cónclave representativo comprende que, antes y después de la computadora, está siempre el hombre. El implacable desarrollo de una tecnología aplicada mayormente con propósito mercantilista, indica que no nos resta mucho tiempo para analizar y prevenir esta dramática realidad.

Manifestamos, señor Presidente, nuestro testimonio de reconocimiento a la abnegación, consagración, valor e inteligencia con que el señor Director General ha luchado para hacer comprender que un documento de esta naturaleza expresa fundamentalmente las aspiraciones de paz y entendimiento de la mayor parte de la humanidad. Este logro, pese a las limitaciones que puedan existir en un texto aprobado en el marco de una comunidad multidiversa, tiene una trascendencia que ha de indicar el futuro inmediato. Esta misma magnitud corresponde a usted, señor M'Bow, cuya acción queda inscrita en la historia, no ya de la comunicación, sino de los pueblos mismos y de su búsqueda de una forma de vida mejor en un marco de paz y comprensión. Muchas gracias, señor Presidente.

(64) The delegate of Cuba (Translation from the Spanish):

Mr. Chairman, we should like to acknowledge the remarkable work of exchange, dissemination and mobilization which is behind the draft declaration and the new international information order, brought to a successful conclusion with signal courage and determination by Unesco and its Director-General, Mr. Amadou-Mahtar M'Bow.

We should like particularly to underline the major role of the Director-General who, with thoroughly exemplary and inspiring strength of purpose, made it perfectly clear to us how important this declaration was for development and showed what an uncertain future a world linked not by self-governing countries but rather by supranational firms could have in store for education, science and culture.

To have made this fundamental topic the centre of international debate, to have faced up to the incomprehension and hostility of the huge interests involved in this sector and helped to find acceptable solutions is worthy of a place in history whose importance we cannot yet gauge.

Never before has it been so necessary for underprivileged and developing countries to be able to count on a future guaranteeing their freedom of expression and the identity of their own cultures.

The interdisciplinary and intersectoral nature of information today highlights the large number of nations which still have neither the appropriate infrastructure for disseminating information nor co-ordinated policies on information, education and culture.

Never in the history of Unesco and the United Nations system has any projected declaration been subject to so much misrepresentation and misunderstanding from the outset. Even this Organization's constant drive to explain its objectives did not save it from a campaign warned against by the Deputy Prime Minister of Cuba, Dr. Carlos Rafael Rodríquez, during the second session of the Intergovernmental Council of the Non-Aligned Countries for Co-ordination of Information.

We should like to point out that, on that occasion, the movement of non-aligned countries, considering it to be a favourable step towards the establishment of the new international information order and the new international economic order, unanimously agreed to endorse a declaration of principles on the mass media that would embody their aspirations for understanding and mutual respect, in the context of a balanced, objective circulation of news and messages among all the nations of the world.

It is worth noting that this consensus among nearly 100 countries, achieved in April of this year, was ratified immediately afterwards at the Conferences of Foreign Ministers held in Belgrade and Havana, in accordance with the founding principles of the movement.

For these reasons we acknowledge the efforts made by the Director-General and our distinguished colleagues to focus attention on mankind's higher destiny and, setting aside political prejudice, to investigate ways of ensuring that communication - now rapidly being overtaken by tele-informatics - serves as a means of liberating man and not as an obstacle to his solidarity.

Its role and function are laid down in the principles of universality enshrined in the United Nations Charter and the Constitution of Unesco. We do not deny the right to make use of an indispensable technology - already applicable to every activity and requirement of society - but we do point out that it would be appropriate to explore and apply it in full knowledge of its general short-term and long-term implications, i.e., with an advance assessment of the effects it could have on the social context in situations of dependence.

The impact of the new technology is doing away once and for all with the traditional restrictive concepts of frontier and nation. For this very reason, there is a need to search for and revitalize individual identity and to preserve all that is best in our various traditions and ways of life. Let us never permit these mass media, capable as they are of broadening and liberating man's outlook, to be used to strengthen mercantilist policies which further loosen the ties between man and senselessly increase personal property. The essential task of communication is not to transmit bare facts without context or content but rather to spread enlightening knowledge that can fuel rapprochement and development.

Above and beyond the differences which may exist in what is often termed a pluralist world, let this twentieth session of the General Conference be a milestone for understanding and mutual respect among countries with different systems of society and government. Let us reassure an increasingly computer-dominated world that for this representative conclave men are more important than computers. The implacable development of technology applied mainly for mercantilist purposes shows that the time left to us for analysis and preventive action is short.

Mr. Chairman, we wish to pay tribute to the self-denial, devotion, courage and intelligence with which the Director-General has struggled to make it understood that a document of this sort expresses the fundamental aspirations for peace and understanding of the greatest part of humanity. This achievement, in spite of the limitations which may exist in a text approved by so highly diverse a community, is of a magnitude which the immediate future can be expected to reveal. And it is the personal achievement of the Director-General, Mr. M'Bow, whose action merits a place not merely in the history of communication, but in that of the people themselves and of their quest for a better way of life in an atmosphere of peace and understanding. Thank you, Mr. Chairman.

65. El Presidente:

Muchas gracias, señor delegado. Doy la palabra al delegado de España.

(65) The Chairman (Translation from the Spanish):

I thank the delegate of Cuba. I give the floor to the delegate of Spain.

66. El delegado de España:

Señor Presidente, en primer lugar la delegación española quisiera manifestar aquí su honda satisfacción por el consenso alcanzado en el proyecto de declaración revisado, que ha sido objeto de aprobación unánime. En segundo lugar, la delegación española quiere felicitar a todos los que han colaborado en este logro, a usted, señor Presidente, a la Secretaría, y muy especialmente al Director General que ha sido como el núcleo dinámico y la clave de arco de esta construcción por decirlo así, que hoy tenemos ante nosotros, afortunadamente.

Nos parece, señor Presidente, que sin entrar en el análisis detallado tanto del preámbulo como del articulado de la Declaración, el documento representa una línea armónica y un verdadero despliegue en momentos que casi nos atreveríamos a calificar de dialécticos.

En primer lugar hay un reconocimiento de la libertad de información y de la libertad de circulación de la información. Con todos los defectos que pueda tener hoy la libertad de información y la libertad de circulación de la información, esto es algo obtenido, algo consagrado, y algo que debe ser defendido. Todas las libertades, señor Presidente, son contingentes, históricas, relativas, no son absolutas; no por eso deben ser menos defendidas.

En segundo lugar, señor Presidente, y como compensación, por decirlo así, pero complemento también de esta libertad, está la búsqueda del equilibrio de una mejor información. Que no se sea solamente, como dice el documento, "receptor" sino "emisor" de información: hay también un derecho a informar.

En tercer lugar hay el reforzamiento del estatuto que los profesionales de la información deben tener en el desempeño de sus funciones, y unido a esto, naturalmente, la responsabilidad, el código deontológico que debe presidir también el desempeño de estas funciones con el derecho de acceder a las fuentes de la información.

Por último, señor Presidente, este documento logra también, y esta es su intención, el respeto debido a la identidad cultural, a no distorsionarla y por lo tanto, a que las informaciones no sean agresivas sino honestas, veraces y completas.

Reitero mis felicitaciones a todos y la delegación de España se congratula, por lo tanto, de que haya triunfado esta línea de consenso, esta línea que llamaríamos irenista y pacificadora. Muchas gracias, señor Presidente.

(66) The delegate of Spain (Translation from the Spanish):

Mr. Chairman, the Spanish delegation would first like to express here today its profound satisfaction at the consensus achieved in the revised draft declaration, which has been given unanimous approval. Secondly, the Spanish delegation would like to pay tribute to all those who were party to this achievement: to you, Mr. Chairman, to the Secretariat, and particularly to the Director-General, who played such a dynamic and central role in making today's successful outcome possible.

It would seem to us, Mr. Chairman, without going into a detailed analysis of either the preamble or the operative part of the Declaration, that the document represents a balanced and structured - one could almost say dialectical - approach.

In the first place there is recognition of freedom of information and freedom of circulation of information. With all the defects which these freedoms may have nowadays they represent a time-honoured achievement and should be defended. All forms of freedom, Mr. Chairman, are conditional, historic and relative, not absolute; but this does not make it any less important to defend them.

In the second place, Mr. Chairman, as a sort of counterweight but also as a complement for this freedom, there is the quest for balance, for better information. As the document states, people should be not merely "receivers" but also "transmitters" of information: there is also a right to inform.

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In the third place there is the strengthening of the status which information professionals should enjoy in their work, combined, naturally, with the responsibility - the deontological code - which should govern the way that work is done, together with the right of access to sources of information.

Finally, Mr. Chairman, this document also ensures - as it set out to do - that cultural identity is respected and not distorted, and therefore that information is not aggressive in character but honest, true and complete.

I reiterate my congratulations to one and all and, on behalf of my delegation, welcome this triumph for the consensus approach which we would call both peaceable and pacific. Thank you, Mr. Chairman.

67. El Presidente:

Muchas gracias, señor delegado, Tiene la palabra el delegado de Chipre.

(67) The Chairman (Translation from the Spanish):

I thank the delegate of Spain, and give the floor to the delegate of Cyprus.

68. The delegate of Cyprus:

Thank you, Mr. Chairman. Both at Nairobi and in this year's deliberations on the Declaration on the Mass Media, we advocated, among other things, that such a Declaration, whose noble aims we all recognize, should be adopted only if it were universally accepted and at the same time inherently consistent with other declarations, conventions and normative instruments of Unesco and the United Nations. We have stated that the Declaration to be adopted ought to be precise, that it should encourage the free and two-way flow of information and that it should not imply State control over the mass media and the dissemination of information.

We are extremely happy not only that such a Declaration has been drafted, thanks to the untiring efforts of the Director-General, of yourself, Mr. Chairman, and of all those who contributed in a constructive manner to our deliberations, but also that it has been adopted by acclamation.

Mr. Chairman, this was really not a compromise draft, for compromise implies that we cannot make up our own minds about something and that we cannot make a choice. In my statement during the general discussion, I said on behalf of my country that we did not need another document that would merely be distributed around, and not acted upon. We needed universal acceptance, so that, through the implementation of the Declaration, attitudes in the minds and hearts of men and communities could be changed for the better. I also said that this universal acceptance would allow us, all of us, to fight together and at the same time against our common enemies: hunger, racialism and ignorance.

Mr. Chairman, we have made up our minds and we have made a choice. Both you and the Director-General have described this day as historic. This could indeed be true if, as of today, we begin to implement this Declaration and if, as of today, we renew our struggle against ignorance, racialism and war, and for peace and international understanding. Thank you, Mr. Chairman.

69. El Presidente:

Muchas gracias, señor delegado. Se levanta la sesión.

(69) The Chairman (Translation from the Spanish):

I thank the delegate of Cyprus. The meeting is adjourned.

TRENTIEME SEANCE DE LA COMMISSION DU PROGRAMME IV

(22 novembre 1978, après-midi)

Président : M. Sayah (Algérie), puis M. Wagner de Reyna (Pérou)

1. Le Président :

Mesdames, Messieurs, la séance est ouverte. Je donne la parole au délégué de l'Algérie.

2. Le délégué de l'Algérie :

Merci, Monsieur le Président. Monsieur le Président, le débat sur la communication internationale a permis, tout particulièrement depuis la Conférence des chefs d'Etat et de gouvernement des pays non alignés, une meilleure connaissance par tous des problèmes qui se posent dans ce domaine. L'Unesco a pour sa part, sous la haute autorité de son Directeur général, plus que largement contribué à la réalisation de cet objectif en multipliant les études sur ce thème et en s'efforçant, malgré les difficultés de la tâche et les attaques multiples et injustifiées dont elle a été l'objet, de promouvoir un nouvel ordre mondial de l'information basé sur le consensus. Il est agréable à ma délégation de le souligner car l'Algérie - elle l'a prouvé - est soucieuse d'apporter son soutien aux actions de l'Unesco, d'aider à favoriser la paix et la compréhension dans le monde - un monde que nous voudrions débarrasser de toutes ses tares - et de s'associer étroitement aux efforts des pays en développement et de tous les pays de progrès pour promouvoir un nouvel ordre économique plus juste, plus équilibré. C'est pourquoi notre délégation, qui était pourtant venue ici avec des propositions bien précises, s'est jointe au consensus qui se dégageait et a fait siennes toutes les initiatives qui allaient dans le sens des idéaux qui animent la politique de notre pays.

Pour mieux expliciter son attitude, la délégation algérienne souhaiterait pouvoir souligner une fois de plus l'importance de certains aspects de la communication internationale, aspects qui concernent tout particulièrement les pays en développement. Il s'agit bien entendu des fonctions spécifiques de la communication d'une part et, d'autre part, des faibles capacités de production et de diffusion des produits de la communication. L'incompréhension de ces aspects par les pays développés, qui dominent le marché, il faut bien l'avouer, leur refus de les prendre en considération et aussi la faiblesse ou l'absence d'une aide désintéressée au développement ne peuvent que nuire à l'application effective de toute déclaration ou décision et, partant, retarder toute action projetée.

Dans nos pays, les mass media ont une fonction plus complexe que celle qui consiste à diffuser l'information. Ils doivent assumer, en plus des fonctions qui sont traditionnellement les leurs, une autre tâche tout aussi importante, voire plus importante encore : participer et faire participer les hommes et les peuples à la bataille pour le droit des peuples à l'indépendance dans les domaines politique et économique, à la bataille pour le développement. Le rôle de l'information est donc dans nos pays beaucoup plus large que nous ne le pensons. Elle doit faciliter le passage de la société traditionnelle à la société moderne, tâche à l'accomplissement de laquelle les gouvernements s'attachent avec sincérité et détermination, quand les conditions techniques et financières le permettent. De bonnes conditions financières ne sont pas faciles à réunir car, Monsieur le Président, du fait de l'ordre économique international, du système des relations internationales existant actuellement et d'un certain impérialisme idéologique et culturel, il se produit inévitablement - on le sait - un déséquilibre mondial évident au niveau d'une part des supports et des moyens de l'information et, d'autre part, de la compréhension des activités liées à la collecte, au traitement et à la diffusion de l'information.

En ce qui concerne les moyens - qu'on pourrait appeler le "contenant" -, malgré les efforts déployés par les pays en développement pour se libérer de leur dépendance et améliorer leur situation économique, les déséquilibres de l'information, pour ne pas parler ici de la communication internationale, tendent, semble-t-il, à s'aggraver du fait des prodigieux progrès que connaît la technologie des pays avancés. C'est pour cela que nous demandons que soient prises des mesures urgentes, globales, cohérentes et adaptées qui ne profitent pas uniquement à ceux qui n'en ont pas réellement besoin.

Venons-en maintenant au "contenu" de l'information, tant mis en cause par les représentants de certains pays qui avancent des arguments que nous estimons pour la plupart irrecevables ou des interprétations délibérément abusives, d'ailleurs pour le moins inconvenantes quand on connaît l'histoire ou une partie de l'histoire de beaucoup de ces pays, qui n'ont malheureusement en réalité ni une connaissance réelle, ni surtout conscience des problèmes de développement. Quel est, pour l'essentiel, ce contenu ? Il s'agit de la liberté de l'information et de la libre circulation de l'information. Il est très important pour nous de nous interroger, en prenant évidemment pour base les considérations déjà énoncées, sur des concepts aussi importants, car il nous semble ici, comme l'a dit à peu près en ces termes l'éminent économiste Alfred Sauvy, que les idées des pays développés occidentaux sur les libertés flottent plus encore peut-être que leurs monnaies. Il faudrait d'abord reconnaitre que ces concepts sont éminemment politiques, car tout en étant indiscutablement universels, ils sont profondément marqués par les différences des systèmes politiques et des activités qui en découlent. Dans l'intérêt de la paix et de la compréhension internationale, nous ne devrions pas nous permettre ici d'émettre des jugements de valeur.

Nous pensons pour notre part que les libertés fondamentales et la libre circulation de l'information sont des principes nobles et généreux que nous avons toujours cherché à appliquer, aussi bien hier durant la période coloniale qu'aujourd'hui durant la période de construction nationale, et dont il faut nous efforcer de trouver la traduction concrète rapide et totale. Il ne peut y avoir de rapprochement conséquent entre les peuples sans davantage d'exercice des libertés et une circulation plus libre de l'information. Mais de même que nous pensons que la société se doit parfois, dans un cadre constitutionnel, législatif et réglementaire précis basé sur le consensus national, de préciser les limites des libertés pour empêcher les individus de nuire à autrui ou à la société elle-même, à plus forte raison faut-il réglementer les libertés dont nous parlons en ce moment et nous citerons volontiers à ce propos la philosophe Simone Weil qui reconnaissait que la liberté de l'information n'est pas illimitée et quelconque.

Beaucoup l'ont dit avant nous : l'essentiel est le sens que l'on donne à la liberté et surtout l'usage qu'on en fait quotidiennement. Très souvent, en effet, l'on parle de ces libertés de façon volontairement partiale et équivoque, et c'est le fait principalement des pays exportateurs d'informations. Obnubilés pour la plupart par le développement quantitatif de leurs capacités et par l'intérêt et les profits économiques, politiques et idéologiques qu'ils en tirent directement ou par personnes ou institutions interposées, ils sont en fait prisonniers d'une volonté de puissance difficilement compréhensible, tant les intérêts en cause sont grands. Nous savons tous que bien des accusations pertinentes, des mises en garde justifiées et des appels éclairés ont été lancés par d'éminentes personnalités sur la base des considérations déjà énoncées. Nous pouvons citer ici Jacques Kaiser qui soulignait à juste titre, dans un remarquable ouvrage intitulé "Mort d'une liberté", les conséquences souvent néfastes d'une mauvaise compréhension et d'une mise en pratique détournée de ces concepts. L'appel, toujours d'actualité, de celui qui fut un grand journaliste français et aussi un spécialiste reconnu des problèmes de la communication renseigne sur ces tendances véritablement insupportables pour les individus et les peuples, tendances qui se sont affirmées et développées ces dernières années. Il convient donc d'éviter de croire que pour résoudre les problèmes de la communication, il suffit de proclamer son attachement à la liberté de l'information et à la libre circulation de l'information à travers les pays. Nous sommes profondément convaincus qu'il ne pourra y avoir de liberté réelle en matière d'information tant que persistera le déséquilibre des moyens et des échanges et tant que le monde demeurera divisé en pays producteurs, exportateurs d'informations et en pays importateurs, consommateurs d'informations. Rien ne retarde, rien ne menace l'exercice desdites libertés autant que le déséquilibre actuel dont la gravité s'accroît dangereusement au fil des jours.

D'autre part, s'il nous a semblé important d'apporter certaines précisions concernant certains concepts, il nous paraît aussi nécessaire d'aborder le problème des effets de l'information internationale. Nous pensons que l'ampleur des dommages que peuvent causer les grands moyens d'information devrait nous inciter non seulement à adopter des normes et des règles de conduite, mais aussi et surtout à empêcher leur violation. C'est là tout le problème de la responsabilité des institutions chargées de l'information et de tous ceux qui ont la charge de la mettre en forme et de la diffuser. Selon nous, il ne devrait pas s'agir là d'une simple responsabilité morale, uniquement dictée par la conscience de chacun ; il conviendrait d'envisager l'introduction de mécanismes de sanctions, même morales, et la réparation des dommages causés par la violation des obligations internationales en matière de communication. Que le responsable en soit une personne morale ou physique, peu importe ! L'importance de l'information, particulièrement dans les pays en développement, et les effets néfastes que peut provoquer et que provoque effectivement une certaine information appellent une telle réglementation ou tout au moins dans une première étape une réflexion plus approfondie. Or, l'Unesco nous apparaît comme le cadre objectif idéal d'une telle réflexion.

En conclusion, Monsieur le Président, Mesdames, Messieurs, Monsieur le Directeur général, permettez-moi de m'adresser aux honorables délégués des pays développés, occidentaux tout particulièrement, et aussi aux honorables représentants de certaines organisations spécialisées. En approuvant par consensus le projet de déclaration présenté aujourd'hui, comme en approuvant par un consensus auquel nous avons adhéré spontanément certains projets de résolution présentés ici même hier soir concernant l'ordre mondial de l'information, les pays non alignés, le groupe des 77 ont tenu à prouver concrètement leur souci de poursuivre le dialogue sur les problèmes mondiaux qui concernent toute la communauté internationale. Ce faisant, ils ont voulu agir au service de la paix, de la compréhension internationale et du rapprochement entre les peuples. Merci, Monsieur le Président.

3. Le Président :

Je remercie le délégué de l'Algérie. Le délégué de la Côte d'Ivoire a la parole.

4. Le délégué de la Côte d'Ivoire :

Merci, Monsieur le Président. Monsieur le Président, je voudrais vous dire combien nous sommes heureux d'avoir pu assister ce matin à l'approbation par consensus et par acclamation du projet de déclaration qui fait actuellement l'objet de notre débat. La petite Côte d'Ivoire, pour sa part, croit avoir participé dans toute la mesure de ses possibilités à la recherche et à l'obtention de ce consensus. J'oserais dire que nous l'avons fait très aisément dans la mesure où, par instinct, nous sommes favorables et en permanence disposés à la recherche du dialogue, à l'écoute des raisons des autres, quand bien même il nous apparaît au départ que nous éprouverons beaucoup de difficultés à nous ranger à ces raisons.

Cependant, Monsieur le Président, puisque nous sommes tous aujourd'hui de la même famille, et que ce que nous disons en ce moment se situe dans un cadre fraternel, censé nous éviter des comportements qui risqueraient de compromettre le patrimoine collectif, la Côte d'Ivoire voudrait se permettre certains commentaires. En premier lieu, nous souhaiterions que la liberté de circulation de l'information ne soit pas une liberté à sens unique ; il faudrait que cette liberté, qui implique un libre accès aux sources de l'information, une égale faculté de traitement et de diffusion, soit possible dans les deux sens. Je crois que je n'ai pas besoin d'insister sur ce qu'est notre situation, ce que sont nos insuffisances au niveau des investissements, ce que sont nos priorités, ce que sont les exigences du développement global et de son démarrage, pour dire que cette liberté que nous réclamons, nous ne pouvons l'assumer et l'acquérir que si nos partenaires, quel que soit le poids de leurs intérêts idéologiques et matériels, veulent bien nous aider à le faire. Or, je crois que l'Unesco est la maison où l'on peut espérer qu'en dépit des antagonismes d'intérêts, il reste en chacun d'entre nous quelque chose qui fait que nous demeurons tous des hommes sensibles à la cause des autres.

Je voudrais par ailleurs dire, Monsieur le Président, qu'il faudrait que ceux à qui profitait la situation d'hier - je dis hier, parce que depuis ce matin, elle a changé, je crois - acceptent d'entamer à leur niveau l'indispensable reconversion des mentalités qui permettra de faire progresser chez eux la réception objective des nouvelles et des éléments d'information qui proviennent du Tiers Monde. Il ne faut pas en effet se leurrer ; nous aurons beau bénéficier d'aides matérielles et pouvoir conjuguer l'aide internationale et l'aide bilatérale afin d'implanter les infrastructures nécessaires, cela ne servira à rien sans cette réceptivité.

Mais j'ai bon espoir, Monsieur le Président. Je crois qu'en approuvant par acclamation le projet de déclaration ce matin, les uns et les autres ont tenu compte de toutes ces considérations. Permettez-moi, Monsieur le Président, de citer - comme je le fais souvent, et vous m'en excuserez -, un dicton de chez moi : le nez du voisin ne paraît tordu que quand on le compare à son propre nez. Cela pour dire, Monsieur le Président, que les pays du Tiers Monde devraient ne pas se cacher certaines imperfections de leur propre organisation interne. Je crois que nous n'aurons d'équilibre juste, de rééquilibrage, des échanges internationaux que dans la mesure où au niveau national, nous aurons contribué nous-mêmes à éliminer les causes culturelles profondes des déséquilibres internes. On ne peut nier, Monsieur le Président, que la plupart de nos Etats sont malheureusement dirigés par une infime partie de la population et je crois que si l'élite intellectuelle de ces Etats ne prend pas en compte les préoccupations de la majorité de la population et ne fait pas le maximum pour lui apporter une information équilibrée susceptible de favoriser sa participation consciente et massive au développement, nous serons moins à même de lutter contre les injustices extérieures.

Enfin, Monsieur le Président, il me semble que l'essentiel, c'est la confiance que nous avons accepté de nous accorder mutuellement, en approuvant le projet de déclaration. Ceux qui croient avoir fait des concessions majeures, je les en félicite. Ceux qui croient ne voir dans ce texte qu'un tout petit pas en avant et qui s'estiment frustrés, je les engage à dépasser leur sentiment de frustration car si ce texte n'est pas accepté dans les esprits, dans les faits, il restera lettre morte. Merci, Monsieur le Président.

5. Le Président :

Je remercie le délégué de la Côte d'Ivoire. Le délégué du Danemark a la parole.

6. The delegate of Denmark:

Thank you, Mr. Chairman. I would like to add the voice of the Danish delegation to those which have congratulated the Director-General on the consensus that has been reached. Our admiration for his efforts is very great indeed, and I believe that it is obvious that he increasingly personifies the very concept of consensus in international organizations. The fact that in this matter the tenacious efforts of some very skilled diplomats in our midst have also played an important role in no way detracts from his merit.

Mr. Chairman, my Government did not wish to oppose a consensus on a matter that has proved to be so important for Unesco and its deliberations over the past few years. However, it was not wholeheartedly that we took part in this particular consensus. May I recall the remarks made by a member of the Danish delegation the other day, who stated in this Commission that at the core this Declaration is a kind of international code of ethics for the mass media, and who expressed our belief that if such a code were to be made at all the task should be left to organizations of journalists, editors and publishers, and not to governments.

We recognize, of course, that the Declaration now adopted emphasizes the importance of freedom of opinion, expression and information, but we note with regret that these references are qualified and certainly fall short of the statement made in the general policy debate by our Minister of Education, who observed that "the independence of the mass media with regard to the Government and their entire freedom of opinion and expression are cornerstones in our democracy".

The Minister also said in the same debate that the Danish Government was, and may I again quote, "prepared to make its contribution to bring about a result which respects the freedom of the press and which meets the technical requirements of so many countries, especially in the Third World, which are faced with communication problems that call for immediate action of a practical nature". We would have wished to see the need to solve the practical media problems of the Third World accorded greater emphasis in the Declaration. There exists today a profound inequality between countries in respect of national news media structures, broadcasting facilities, number of radio and television receivers, national news agencies, newspaper printing and distribution possibilities and the like. We consider concrete measures to remedy these deep inequalities to be much more important for the development of communication than any number of lofty declarations.

Finally, Mr. Chairman, since Article 20 of the International Covenant on Civil and Political Rights is mentioned in the preamble of this Declaration, I have to draw your attention to the fact that Denmark expressed reservations in regard to paragraph 1 of that Article when Denmark was ratifying the Covenant, because we feared that its provisions might not be in complete accordance with the principles of freedom of expression. Thank you, Mr. Chairman.

7. Le Président :

Je remercie le délégué du Danemark. Le délégué de la République dominicaine a la parole.

8. El delegado de la República Dominicana:

Señor Presidente, hace algún tiempo en Santo Domingo, a principios de este año, me permití transmitir al Sr. M'Bow, en forma de pregunta, una preocupación constante en mí: ¿cuándo es la comunicación diálogo de las culturas y cuándo es penetración cultural? El señor M'Bow me respondió que hay diálogo de las culturas cuando la comunicación se efectúa desde los valores fundamentales y cimeros de cada una, cuando se hace a plena conciencia de los valores respectivos. Me parece que la histórica Declaración aprobada hoy, es un intento generoso de proclamar los valores cimeros de todas las culturas de la familia humana.

Los sueños de la razón generan mostruos, dice uno de los Caprichos de Goya, cuya pintura enorme y diversa es periodismo para la eternidad. El proyecto contenido en el documento 20 C/20, en su forma original, era un sueño de la razón humanista, pero que podía terminar en pesadilla. La Declaración aprobada hoy es ejercicio de la razón despierta. Lleva el sello de la visión humanista y de la destreza y el realismo político del Director General, hombre ecuménico del Tercer Mundo. Cada periodo, cada época, tienen sus demonios. Los demonios predilectos de los gobernantes y sociólogos del mundo moderno, tanto en las naciones industrializadas como en las subdesarrolladas, son los medios de comunicación de masas. Los demonios han sido ahora exorcizados y en cierto modo sacralizados por la Declaración de esta mañana, confiándoles una alta misión al servicio de la humanidad, pero yo abrigo la esperanza de que los demonios sigan vivos, impenitentes y libres.

El gran error de nuestro tiempo es la idea de que los medios de comunicación moldean la conciencia y la conducta de los hombres al antojo de los comunicadores. La mejor prueba de que éste es un craso error, es la creencia de que, al estar todos en el secreto de esa obra distorsionadora de los medios de comunicación, dichos medics dejan de ser eficaces en su función de engañar a la gente.

También creemos que los medios de comunicación nos han moldeado para el mal y ahora nos van a moldear para el bien. El bien y el mal en materia de comunicación no son más que dos nombres diferentes de un sólo farsante: el prejuicio ideológico que a veces se disfraza de identidad cultural. El hombre y la mujer no son seres plásticos y maleables; por eso en las sociedades humanas siempre hay descontento, descontento contra el Estado, contra el sistema establecido, aún en las sociedades política y socialmente más homogéneas.

Los medios de comunicación, aún los más conservadores, son casi siempre subversivos. Son tanto receptores como emisores de la inquietud social. Lo que hoy es cultura antes fue contracultura, subcultura y penetración cultural. Muchas veces los medios de comunicación sirven simplemente para transmitir esa contracultura, esa subcultura que contienen el germen del porvenir. No convirtamos tales contracultura, subcultura y precultura en cultura de catacumbas, porque a veces es ese el primer paso para ser arrojadas a las fieras del circo, por cierto con gran entusiasmo del público.

Se dice que la sociedad de consumo, la más denunciada de las formas de vida de nuestro tiempo, es promovida por los medios de comunicación. Ciertamente, la sociedad de consumo es el mayor intento democrático de la historia humana. Se trata de que lo que era disfrute de pocos, sea goce de muchos. Primero la radio, que es el medio de comunicación fundamental del Tercer Mundo, fue privilegio de unos pocos en los paises desarrollados. Ahora parece que llega la época de la transmisión por satélite para disfrute del Tercer Mundo: eso es sociedad de consumo en el nivel más alto.

Quizás los medios de comunicación constituyan un nivel inferior de la cultura; quizás por eso mismo estemos presenciando el viejo debate, la antigua oposición medieval de la cultura de los clérigos y la cultura de los juglares. La cultura de los clérigos, la que llamaríamos ahora la cultura de los expertos, es muy respetable. Yo espero que esta Declaración preserve la cultura de los juglares, con toda su inspiración y vigor creador de libertad y de futuro. Al rendir tributo al Director General por sus admirables esfuerzos con los que ha conseguido más de lo que ha cedido, en aras del éxito de esta Declaración me permito hacer una pequeña confesión acerca de la comunicación: defenderé siempre la cultura de los juglares frente a la cultura de los clérigos, la cultura de los expertos.

Muchas veces una vida humana surge como consecuencia de un acto de violación. Considero que la verdad ha sido violada en muchos juicios sobre los medios de comunicación. Pero creo que la nueva criatura que ha nacido hoy es hermosa y crecerá, para orgullo común de sus cien padres diferentes. Felicito al Director General por este fruto del pecado y de la razón, y a propósito de la comunicación, siempre he tenido en la mente, y lo he repetido más de una vez en reuniones sobre la cuestión, un verso del poeta español Jorge Guillén: "Un cuerpo es el destino de otro cuerpo". Esa es la comunicación: un destino mutuo y recíproco. Trabajemos pues libres y unidos, por ese destino común y creador. Muchas gracias.

(8) The delegate of the Dominican Republic (Translation from the Spanish):

Mr. Chairman, some time ago in Santo Domingo, towards the beginning of this year, I took the liberty of informing Mr. M'Bow, in question form, of a constant concern of mine: when is communication dialogue between cultures and when is it cultural penetration? Mr. M'Bow replied that dialogue between cultures exists when communication is based on the basic, uppermost values of each one and it takes place in full awareness of the values of the other. It seems to me that the historic declaration which has been approved today is a courageous attempt to proclaim the uppermost values of all the cultures of the human race.

The dreams of reason produce monsters, says one of the "caprichos" of Goya whose prolific and varied works captured events of his time for eternity. The draft contained in document 20 C/20, in its original form, was a dream of humanist reason which could have ended in nightmare. The declaration which has been approved today is an exercise in wakeful reason. It bears the stamp of humanist vision and of the skill and political realism of the Director-General, oecumenist of the Third World. Each era, each epoch has its demons. The favourite demons of today's rulers and sociologists in industrialized and underdeveloped countries alike are the mass media. These demons have now been exorcised and in a sense even hallowed by this morning's declaration, which entrusts them with a lofty mission in the service of all mankind, but I cherish the hope that they will live on, unrepentant and free.

The great error of our day is to think that the mass media mould human thought and behaviour to suit the whim of the communicator. The absurdity of this is shown by the parallel belief that the media lose their power to deceive as soon as everybody realizes that this is what they are attempting to do.

It is also believed that the mass media have moulded us for the worse and that they are now going to mould us for the better. But good and evil in communication are merely two different names for a single pretence: ideological prejudice, which sometimes disguises itself as cultural identity. Men and women are not plastic, malleable beings; for this reason, in human societies there is always some discontent against the State or the established system, even in those which are most politically and socially uniform.

Even the most conservative mass media almost always have a tendency to upset the status quo. They are just as much receivers as transmitters of social anxieties. What is seen as culture nowadays was previously seen as counter-culture, subculture and cultural penetration. The mass media often serve merely to transmit these counter- or subcultures which contain the seeds of the future. Let us not transform such counter-cultures, subcultures and precultures into cultures of the catacombs, for this is sometimes the first step towards their being thrown to the lions - doubtless to the enthusiastic delight of the public.

It is said that the consumer society, which of all forms of life in our day is the most widely denounced, is furthered by the mass media. What is certain is that the consumer society is the greatest attempt at democracy in the history of mankind: an attempt to enable the many to enjoy what were formerly the privileges of the few. To start with, the radio, which is the basic communication medium of the Third World, was the privilege of a small number in the developed countries. We now seem to be entering an age of satellite transmission for the benefit of the Third World: this is the consumer society at its best.

Perhaps mass media are a lower level of culture; perhaps for that very reason we are witnessing a revival of the mediaeval debate between the culture of the clergy and the culture of the minstrels. The former, what we would today call the culture of the experts, is highly respectable. I hope this declaration will preserve the latter, the culture of the minstrels, with all its inspiration and life-enhancing vigour. In paying tribute to the Director-General for his admirable efforts, whereby more has been gained than lost, and in welcoming the adoption of this declaration, I should like to make a small confession about communication: I shall always defend the culture of the minstrels against that of the clergy or the experts.

A human life often comes into being as the result of an act of violation. I believe that truth has been violated in many judgements concerning the mass media. But I also think that the new creature which has been born today is a handsome infant and will grow up to be a source of pride to its hundred different parents. I congratulate the Director-General on this the offspring of sin and reason. On the subject of communication, I have always had in mind - and have often quoted it in meetings on the question - a verse by the Spanish poet Jorge Guillén: "A body is the destiny of another body". That is communication: mutual, reciprocal destiny. Let us therefore work freely together for this, our common creative destiny. Thank you.

9. Le Président :

Je remercie le délégué de la République dominicaine. Le délégué de l'Equateur a la parole.

10. El delegado de Ecuador:

Señor Presidente, esta mañana la Comisión IV ha tomado una decisión histórica. El mundo en que vivimos está seriamente dividido con respecto a la comunicación. Hay naciones que creen que el Estado tiene todos los derechos y que por lo tanto está obligado a orientar la comunicación. Pero hay otros Estados que han nacido a la libertad precisamente ayudados por los medios de comunicación, como es el caso de mi país. Por eso creemos que hay que dar a los medios de comunicación la oportunidad de expresarse, de organizarse y de cumplir con su deber cívico. En algunas naciones la comunicación, tal como hoy la concibe el mundo moderno, apenas comienza a dar sus primeros pasos. Esta realidad mundial la han tomado en cuenta aquéllos que discutieron el texto de esta Declaración.

Hay también una seria diferencia en lo que respecta a la libertad de prensa. Las explicaciones de voto de los diferentes representantes de los gobiernos muestran que la libertad de prensa no significa lo mismo para unos que para otros, pero lo esencial es que todos piensan y creen que esa libertad es indispensable. Asimismo todos tenemos diferentes criterios sobre la libertad de expresión, que toca más bien al individuo y debemos reconocer humildemente que en muchísimos de nuestros países ella no es posible porque el individuo no siempre se puede hacer oir, por su desacuerdo ya sea con el Gobierno, con el dueño del periódico, con el partido imperante o con la sociedad en que vive.

Por otro lado, debido a lo que ha dado en llamarse la deformación cultural, sobre todo de los países del Tercer Mundo, esos países han ejercido una fuerte presión para que la Unesco hiciese algo a fin de que en ese caos, que así se puede calificar a la comunicación, pudiéramos encontrar unos puntos de entendimiento y a partir de ellos orientar la comunicación para el mundo del futuro. La importancia histórica de esta Declaración reside en que con ella estamos diciendo que para el futuro queremos, necesitamos otra cosa. Por eso el consenso a que se ha llegado es realmente histórico; todos tienen pequeñas o grandes reservas que hacer, pero todos coinciden en una cosa: que había necesidad de aprobar esta Declaración para orientar en el futuro los nuevos medios de información. Pero las declaraciones más bellas quedan escritas o son mal interpretadas si los hombres llamados a aplicarlas no las aceptan de todo corazón.

Los hombres que han trabajado para obtener este texto merecen la gratitud de todos los Estados Miembros y en especial el Director General que ha logrado con paciencia e inteligencia la síntesis de unos elementos antitéticos que podían haber destruido el proyecto.

Creo asimismo que como homenaje a la ciudad donde se han desarrollado tantos acontecimientos históricos, debería llamarse a ésta la Declaración de París, para que tenga la influencia que tuvieron en la independencia de nuestro continente, la conciencia de los derechos del ciudadano, de la libertad de prensa y de las libertades individuales fundamentales, que fue uno de los resultados de la Revolución francesa.

Añadiré que ahora que la Declaración ha sido aprobada y que es un marco general de referencia para futuras acciones, todos debemos comenzar a aplicarla de la manera más amplia. Sí es mucho lo que deben hacer los Estados Miembros, por otra parte comienza para el Director General la realización, con ayuda de los expertos, de un nuevo programa que nos abra caminos luminosos y nos ayude a transformar un mundo que, por injusto, tiene que cambiar. Muchas gracias.

(10) **The delegate of Ecuador (Translation from the Spanish):**

Mr. Chairman, this morning Commission IV took a historic decision. The world in which we live is seriously divided on the issue of communication. There are countries which believe that the State has a monopoly of rights and is therefore obliged to control communication. But there are other States which have been freed precisely because of the help of communication media, as is the case with my own country. For that reason we believe communication media should be given the chance to express themselves, to organize themselves and to perform their civic duty. In certain countries communication, as it is understood in the modern world, is barely making its first steps. This world-wide situation was taken into account by those who discussed the text of this declaration.

There is also a serious difference as regards the freedom of the press. The explanations of vote we have heard from the representatives of various governments show that freedom of the press means different things to different people, but the essential point is that everyone believes such freedom to be vital. Likewise we have different opinions on the freedom of expression, which is more a matter affecting the individual, and we must acknowledge in all humility that in a great many countries no freedom of expression is possible since an individual who happens to disagree with the government, the owner of the newspaper, the governing party or the society in which he lives cannot always make himself heard.

Nevertheless, because of concern over what has been called cultural deformation, particularly in Third World countries, these countries have repeatedly called for action by Unesco aimed at finding some areas of agreement between us regarding communication - where the existing situation can only be termed chaotic - so that we can build on this and shape communication for tomorrow's world. The historical importance of this declaration lies in the fact that, through it, we are stating that in the future, we want and need something new. For this reason the consensus which has been achieved is truly historic; everybody has big or small reservations to make, but they all agree on one thing: this declaration had to be approved in order to re-shape the information media for the future. Yet even the finest declarations remain mere pieces of paper or are misinterpreted unless they are whole-heartedly accepted by the people who are responsible for putting them into effect.

The men who produced this text deserve the gratitude of all Member States; I am referring particularly to the Director-General, who has managed, by dint of patience and intelligence, to reconcile conflicting elements which could have wrecked the entire project.

Likewise, I believe that as a tribute to the city where so many historic events have occurred, this text should be called the Declaration of Paris, in order that it may have as much influence as did the awareness - born of the French Revolution and of such importance for the independence of our continent - of citizens' rights, freedom of the press and basic individual liberties.

I should add that now the declaration has been approved and that it is a general point of reference for future action, we should all start to apply it in the widest possible way. If Member States have much to do, the Director-General too will need to start drawing up, with the assistance of experts, a new programme designed to point the way forward and help us to transform an unjust world which has to change. Thank you.

11. Le Président :

Je remercie le délégué de l'Equateur. Le délégué du Royaume-Uni a la parole.

12. The delegate of the United Kingdom of Great Britain and Northern Ireland:

Mr. Chairman, this is a great day for Unesco; a kind of coming of age; the achievement of a new maturity which is due partly to the patient work behind the scenes of the Chairman of our Commission, but especially to the unstinting efforts of the Director-General in finding a consensus among us. My delegation welcomes this consensus, and hopes that it may prove a precedent for the future.

The Declaration on the Mass Media, important as it is for all of us, has been crucial for Unesco. Had the original draft been put to the vote, the United Kingdom and many of the Western democracies would have had to oppose it, because it implied State control of editorial content. Had that draft been accepted by a simple majority, it is Unesco which would have suffered most. Western public opinion would have been aroused against it, and some of those practical projects which are dear to us all could have suffered.

Happily, this is not the case, for the Director-General, at the very last moment, came to our rescue with a solution which we could all accept, with - may I suggest, remembering the story by Guy de Maupassant - a child whose parentage each of us can accept.

Of course, each of us may look at the child and think sometimes how much better it would be if its image were more like our own; there may be parts we positively dislike. We in the United Kingdom, for example, need to enter a reservation on preambular paragraph 5, which refers to the International Convention on the Suppression and Punishment of the Crime of Apartheid. We are totally opposed to apartheid, which is a flagrant violation of human rights, but we have been unable on legal grounds to subscribe to this Convention.

Personally, I also mourn the crime against the English language which has been committed in some parts of the text. But do not think, Mr. Chairman, that we are complaining. The child may be less beautiful than we dreamed of, but it is ours and we welcome it.

No consensus can be perfect. It seeks only to define - if I may now speak in arithmetic terms - the highest common factor between all our views. As the distinguished delegate from Egypt has said, this text is not a compromise. None of us has compromised our principles. For example, the Declaration meets our major concerns. It places no hint of State control on the freedom for information to flow, nor on the freedom for journalists to have access to information. These are the freedoms which, in our view, make democracy work. They are an essential part, indeed the basis of the social and cultural structure of the whole Western world. They are the only true safeguards against the very kinds of extreme nationalistic behaviour to which this Declaration addresses itself.

A State without the means of change, wrote Edmund Burke about the French Revolution, is without the means of its conservation. That, Sir, is still true today. The mass media, free to criticize their own governments, may sometimes be a nuisance or even an embarrassment; but they are the means of ensuring evolutionary rather than revolutionary change. This text is a reaffirmation of principles in defence of freedom of the press.

So, the new baby is born, Mr. Chairman, but let us not believe that this happy event marks the end of the road. It is only a beginning. We in the United Kingdom welcome the views which many delegations have expressed so eloquently, and which our Minister for Overseas Development made very strongly in her address to the General Conference, on the need to assist the developing countries in building up their national media resources. Let us now clothe our new baby, Mr. Chairman, in a series of practical measures to assist the developing countries among our Member States to develop their mass media. Thank you.

13. Le Président :

Je remercie le délégué du Royaume-Uni. Le délégué de la Roumanie a la parole.

14. Le délégué de la Roumanie :

Merci, Monsieur le Président. Lors du débat de politique générale, le chef de la délégation de la Roumanie a exposé la position de principe de mon pays quant au Projet de déclaration sur les principes fondamentaux concernant la contribution des moyens d'information au renforcement de la paix et de la compréhension internationale, à la promotion des droits de l'homme et à la lutte contre le racisme et l'apartheid et l'incitation à la guerre. Le texte que nous venons d'approuver montre que l'Unesco est appelée à jouer un rôle très important dans la mise en oeuvre des recommandations et orientations visant à promouvoir la paix et la collaboration internationale, la lutte contre le racisme, l'apartheid, le colonialisme et le néo-colonialisme, la lutte contre la propagande pour la guerre ainsi que le respect des libertés et des droits fondamentaux de l'homme. Voilà pourquoi la délégation roumaine s'est félicitée dès le début du fait que la Conférence était appelée à se pencher et à se prononcer à cette session sur le projet de déclaration concernant les mass media mis au point par le Directeur général.

Après l'approbation de ce texte, nous voudrions nous aussi saluer avec satisfaction l'esprit de collaboration qui a animé toutes les délégations et qui a permis de parvenir à un consensus. A cette occasion, nous aimerions aussi rendre hommage aux efforts déployés par le Directeur général qui ont abouti à l'élaboration de ce document, lequel contient à nos yeux les principes et les orientations de base que les Etats membres, les mass media et l'Organisation elle-même doivent suivre et mettre en pratique.

Monsieur le Président, il est hors de doute que dans le monde il y a des conceptions différentes de l'organisation de la société, des problèmes de la démocratie ainsi que d'autres aspects de la vie sociale. La Roumanie considère que l'approche de ces problèmes suppose que l'on parte de la nécessité de respecter les droits de chaque peuple de choisir librement la voie du développement de son choix, d'organiser sa vie selon ses intérêts sociaux et nationaux, sans aucune ingérence extérieure. Mon pays se prononce en faveur de larges échanges d'opinions et d'expériences sur le plan

mondial et en faveur d'un dialogue entre les Etats, entre les organisations politiques et publiques, entre les institutions travaillant dans le domaine de la science, de la culture, de l'éducation et des mass media. D'autre part, nous estimons contraire aux intérêts de la paix et de la sécurité internationale toute action qui vise à calomnier les autres peuples, à dénaturer les réalités, à promouvoir le racisme, les théories bellicistes et la discorde entre les peuples. Au contraire, les liens culturels, la presse, la radio, la télévision sont appelés à promouvoir le respect pour les autres peuples, leurs traditions, leur culture et leur création contemporaine ainsi que la consolidation de la paix et de l'amitié entre les nations.

C'est dans ce sens que l'Unesco est appelée selon nous à jouer un rôle de premier plan, tant par ses programmes de coopération que par ses instruments d'une portée universelle, comme c'est le cas du projet de déclaration approuvé aujourd'hui.

Monsieur le Président, le texte que nous venons d'adopter s'inscrit tout naturellement dans le cadre du mandat de l'Organisation. Il ne fait que réaffirmer la mission dévolue à l'Unesco quant à l'élimination du colonialisme et du racisme, ainsi que le rôle qui lui est assigné en vue d'un renforcement de la collaboration internationale dans l'intérêt de la paix et du bien-être de l'humanité. Il nous incombe à nous tous, Etats membres, Secrétariat de l'Unesco, organisations non gouvernementales, d'agir avec résolution pour réaliser les nobles objectifs de cette déclaration, contribuant ainsi à l'instauration d'un nouvel ordre économique international, à l'établissement d'un nouvel équilibre et d'une plus grande réciprocité dans la circulation de l'information dont dépendent la consolidation de la paix et le renforcement de la confiance internationale. Je vous remercie, Monsieur le Président.

15. Le Président :

Je remercie le délégué de la Roumanie. Le délégué de l'Argentine a la parole.

16. El delegado de Argentina:

Señor Presidente, mi delegación felicita al Director General por haber ayudado a la elaboración de un texto que es merecedor del consenso de la Conferencia General. Me consta que este esfuerzo individual meritoriamente desplegado por el Director General es asimismo la expresión de un esfuerzo colectivo, el esfuerzo de los delegados permanentes, los grupos regionales, la Secretaría, los asesores generosos: el de la Unesco en suma. Es a la Unesco, señor Presidente, como conjunto de voluntades que trabajan en colaboración y armonía a pesar de sus diferencias, es a la Unesco, repito, a la que en este momento deseo rendir homenaje.

Me complace reconocer que en esta Declaración sobre los medios de comunicación se afirman principios legítimos y se hacen recomendaciones valiosas. Se afirma sin retaceos el principio de la libertad, al punto de satisfacer plenamente a sus más celosos defensores: libertad de opinión, de expresión, de investigar y recibir información sin limitación de fronteras, de circulación de las ideas por medio de la palabra y de la imagen: libertad de verificar hechos, de acceder a las fuentes de las noticias y de que el público participe en su elaboración y rectificación.

Todo esto es loable, señor Presidente; pero interesa destacar también que esta Declaración es consciente de los riesgos que implican los excesos de la libertad. En tal sentido, advierte sobre la necesidad de que la libertad de información no abuse de sus privilegios, no ceda a los prejuicios, que sea autodisciplinada y severa consigo misma. Mi delegación se solidariza con este llamamiento a la responsabilidad de la información. También concordamos con la advertencia de que la información no debe identificarse con el espíritu de la propaganda tendenciosa. Es preciso no estimular su empleo en favor del odio, la discriminación racial y la violencia, y sobre todo, coincidimos plenamente con la recomendación que se desprende del apartado 11 del preámbulo, de no difundir noticias falsas destinadas a perjudicar las buenas relaciones entre los Estados. En efecto, la difusión de noticias que contribuyan a deteriorar insistentemente la imagen de un país ajeno, al punto de constituir una campaña sistemática, resulta ser un uso ilegítimo y reprobable de la libertad de información.

En la declaración también se afirman el pluralismo informativo, la apertura a las aspiraciones de la juventud, la necesidad de corregir las desigualdades informativas entre los países en desarrollo y los desarrollados, el reconocimiento de la diversidad de las culturas y del saludable intercambio entre países con sistemas económicos y sociales diferentes.

Mi delegación se complace en manifestar su acuerdo con todos estos principios, pero sobre todo la delegación argentina quiere destacar que en la Declaración se percibe un loable esfuerzo por armonizar el espíritu de libre circulación de las noticias, por un lado, con el de responsabilidad informativa por otro. Repito: en la voluntad de armonizar la libertad por un lado y la autodisciplina informativa por otro, reside a nuestro juicio el mérito mayor de esta Declaración. Muchas gracias.

(16) The delegate of Argentina (Translation from the Spanish):

Mr. Chairman, my delegation congratulates the Director-General on having helped to draw up a text which is worthy of the consensus of the General Conference. I am sure that this individual effort so worthily undertaken by the Director-General is also the expression of collective endeavour by the permanent delegations, the regional groups, the Secretariat and the distinguished consultants: in short, Unesco's endeavour. It is to Unesco, Mr. Chairman - this assembly of individual viewpoints working in collaboration and harmony in spite of their differences - that I should like to pay tribute at this time.

I am gratified to see that this declaration on mass media legitimate principles are affirmed and beneficial recommendations made. There is ungrudging affirmation of the principle of freedom, to the extent that it fully satisfies the most zealous of its defenders: freedom of opinion, freedom of expression, freedom to seek and to receive information without limitation of frontiers, freedom to disseminate ideas through word and image; freedom to ascertain facts, freedom of access to sources of news and freedom for the public to take part in its preparation and rectification.

Mr. Chairman, all this is praiseworthy; but it is also interesting to note that this declaration displays an awareness of the risks implied in the excesses of freedom. Thus, it clearly states that those enjoying freedom of information should not abuse their privileges or yield to prejudice, but show self-discipline and rigour. My delegation joins in this call for responsible information. We also agree with the warning that information should not be identified with the spirit of tendentious propaganda: it is vital not to encourage its use to further hate, racial discrimination and violence. Above all, we are in full agreement with the recommendation which appears in preambular paragraph 11, whereby no false reports should be diffused with the aim of injuring friendly relations between States. Indeed, the dissemination of news persistently detrimental to the image of a neighbouring country, to the extent of constituting a systematic campaign, is an illegitimate and reprehensible use of freedom of information.

The Declaration also affirms the pluralism of information and the importance of its being open to the aspirations of the young stresses the need to correct the inequalities of information between developing and developed countries; and calls for recognition of the diversity of cultures and of the salutary effect of exchanges between countries with different economic and social systems.

My delegation is pleased to state its agreement with all those principles, but above all the Argentine delegation would like to point out that the declaration contains a praiseworthy effort to harmonize the spirit of free circulation of news on the one hand, and responsibility in information on the other. I repeat: in our opinion the greatest merit of this declaration lies in the desire to harmonize freedom on one side and self-discipline in information on the other. Thank you.

17. Le Président :

Je remercie le délégué de l'Argentine. Le délégué du Sénégal a la parole.

18. Le délégué du Sénégal :

Merci, Monsieur le Président. Je serai très bref, parce que les uns et les autres ont dit l'essentiel. Cependant, je voudrais faire une petite remarque. Ma délégation se félicite chaleureusement des résultats fructueux auxquels ont abouti les multiples consultations entre les différents groupes régionaux et le Directeur général de l'Unesco, consultations qui ont été dominées du début à la fin par un esprit de compréhension mutuelle. A cet égard, la vingtième session de la Conférence générale de l'Unesco aura perpétué cet esprit de Nairobi qui, pensons-nous, doit devenir la règle chaque fois qu'il s'agira d'adopter des documents aussi fondamentaux que ce projet de déclaration approuvé par notre Commission à l'unanimité et par acclamation.

Cette déclaration, de par son contenu dynamique, constitue une approche positive de l'instauration d'un nouvel ordre international, juste et équilibré, de l'information et de la communication, que mon pays continue d'appeler de ses voeux. Evidemment, l'instauration de ce nouvel ordre mondial de l'information et de la communication sera une oeuvre de longue haleine. Mais il suffirait que les uns et les autres soient animés du même esprit qui a prévalu tout au long des négociations au sujet de la présente déclaration pour que bien des progrès soient obtenus dans ce domaine.

Au-delà du dualisme des systèmes, des divergences doctrinales et de la disparité des pratiques, nous pensons qu'il est possible de se mettre d'accord sur l'essentiel, c'est-à-dire sur la définition en commun des modalités selon lesquelles les différentes conceptions en présence peuvent s'harmoniser. Ensuite, les problèmes techniques pourront être réglés facilement.

Par ailleurs, l'Unesco devrait porter une attention plus soutenue aux efforts louables que déploient les Etats membres dans le cadre d'organisations telles que le Pool des agences de presse des pays non alignés, la CANA, l'Union des agences d'information africaines, sans parler des projets d'Agence panafricaine de presse et d'Agence islamique internationale de presse, efforts qui tendent à la réalisation du même objectif : l'instauration d'un nouvel ordre international de l'information.

Pour revenir à la déclaration, ma délégation voudrait se féliciter vivement de l'esprit de dialogue réaliste dont ont fait preuve tous ceux qui ont participé à son élaboration. En effet, elle reflète d'une façon satisfaisante, du point de vue de la délégation sénégalaise, les opinions et aspirations diverses des groupes régionaux. C'est un document de portée historique que nous approuvons pleinement : nous considérons son adoption comme un événement heureux qui renforce notre confiance et notre foi en l'Unesco.

A cet égard, ma délégation rend un vibrant hommage au Directeur général de notre Organisation et à tous ses collaborateurs pour les efforts persévérants qu'ils ont déployés depuis deux ans pour aboutir à ce résultat spectaculaire. Elle exprime également sa profonde reconnaissance à tous les pays qui ont bien voulu adopter la déclaration à l'unanimité pour leur esprit de coopération.

Il reste donc à souhaiter que cette déclaration ne reste pas un simple voeu pieux. Puisse donc son application intégrale par chaque Etat membre de l'Unesco constituer un jalon déterminant du progrès de la compréhension entre les Etats et les peuples. Je vous remercie.

19. Le Président :

Je remercie le délégué du Sénégal. La déléguée de la Jamaïque a la parole.

20. The delegate of Jamaica:

Thank you, Mr. Chairman. The delegation of Jamaica has accepted the compromise text contained in the revised draft Declaration on the Mass Media submitted to us by the Director-General but, quite frankly, it has done so somewhat reluctantly. We have accepted this compromise primarily because of our desire to maintain the solidarity of the Group of 77 and the Non-Aligned Group - an objective to which my Government attaches great importance - rather than because of real satisfaction with the text of the Declaration.

During the period of his attendance at this Conference, our Minister of Information and Culture made it clear that Jamaica considered a consensus decision on a Declaration on the Mass Media to be a highly desirable objective, provided that it could be obtained on the basis of what seemed to us certain minimum conditions.

Mr. Chairman, my delegation wishes to join with previous speakers in paying a very sincere tribute to the Director-General and other negotiators, in particular to Mr. Masmoudi, the spokesman for the Non-Aligned Group, for all the intensive efforts which they have put into the almost soul-destroying task of trying to reach a formulation acceptable to all. We are genuinely grateful to them. We would be less than honest, however, if we did not admit that we are profoundly disappointed that such monumental efforts of skill, time, physical and mental energy and above all of goodwill should have resulted in a document which, in order to secure a consensus, has in our opinion become so enfeebled.

Distinguished delegates will perhaps appreciate the position of my delegation when I say that my Government would have been able to accept the original document 20 C/20 without difficulty. Indeed, we had felt that this document was already a compromise reflecting existing needs and possibilities. Thus, the Declaration which has been adopted indicates further concessions which, in our view, almost calls in question the usefulness of the document. My delegation does not consider it appropriate to comment in detail here on our various reservations. Suffice it to say that in our opinion there is, for example, a totally inadequate reference to the responsibility of journalists and an almost unrecognizable reference to the right of reply. I would point out in this regard, Mr. Chairman, that these are matters of concern to us precisely because in my country there is a very free press; believe me, Sir, when I say that anyone who has read the newspapers in Jamaica will confirm this. We cannot but feel, therefore, that the Declaration as adopted fails to deal with a number of problems of the existing world information order which we ourselves have recognized, and which have indeed been recognized in the interim report of the MacBride Commission.

Having said this, Mr. Chairman, I should nevertheless like to end by expressing my delegation's sincere hope that the Declaration which has been adopted by acclamation will be regarded as a mere beginning, as a bare minimum upon which Unesco will be able to build so that by the time of the next General Conference there will be clear evidence of a significant advance towards the establishment of a new international information order. Indeed, my delegation would request the Director-General to be kind enough to prepare and submit to the next General Conference an evaluation of the practical measures taken towards implementation of the principles and goals set out in the Declaration. Thank you, Mr. Chairman.

21. Le Président :

Je remercie la déléguée de la Jamaïque et je donne la parole au délégué de Saint-Marin.

22. Le délégué de Saint-Marin :

Merci, Monsieur le Président. Ma délégation souhaite joindre sa voix à celles des autres délégations qui l'ont précédée pour exprimer au Directeur général et à tous ceux qui l'ont aidé dans ses efforts inlassables et méritoires ses félicitations les plus vives et ses remerciements les plus chaleureux. Les acclamations prolongées qui ont accueilli ce matin l'approbation par consensus du texte du Projet de déclaration sur les principes fondamentaux concernant la contribution des organes d'information au renforcement de la paix et de la compréhension internationale, à la promotion des droits de l'homme et à la lutte contre le racisme, l'apartheid et l'incitation à la guerre ont suscité en nous une grande émotion et fait naître de grands espoirs.

Mon pays, comme tous ceux qui croient en notre Organisation, éprouve une grande satisfaction devant ce résultat, un résultat qui permet aux petits Etats comme Saint-Marin et aux pays les plus défavorisés d'entrevoir des possibilités plus concrètes de bénéficier des formes d'aide que l'Unesco est en mesure de fournir dans le domaine de la communication aux Etats membres, afin que les principes approuvés ce matin soient effectivement respectés et appliqués.

Je me dois d'être bref pour ne pas répéter ce qui a déjà été dit par les orateurs qui ont mis l'accent sur la portée particulièrement importante pour l'avenir de l'Unesco de l'accord unanime réalisé aujourd'hui sur un texte que mon pays estime fondamental pour le développement futur de la coopération internationale dans le domaine de l'information et de la communication, sur la base de principes et de droits inaliénables tels que la liberté d'expression et de culture, le respect de tous les droits de l'homme et des droits des peuples.

Ce n'est que sur ces principes et ces droits que pourra se fonder l'instauration d'un véritable nouvel ordre mondial de l'information où tous les pays grands ou petits, riches ou pauvres, seront placés sur un pied d'égalité et par conséquent mis en mesure de faire entendre librement leur voix

et d'écouter tout aussi librement la voix des autres, et de contribuer ainsi à une diffusion plus équilibrée de l'information et de la culture, à une meilleure connaissance et compréhension mutuelles et, partant, à la création des conditions nécessaires à l'avènement d'un monde meilleur où la paix ne serait plus le produit de la force et de la peur mais plutôt le fruit de la justice et du développement économique social et culturel de tous les peuples sans exception, dans le climat de confiance et de collaboration internationale qui est indispensable si l'on veut que les objectifs de notre Organisation deviennent vraiment réalité.

Monsieur le Président, Monsieur le Directeur général, chers collègues, cette journée que beaucoup n'ont pas hésité à définir comme historique permet sans aucun doute de nourrir un certain espoir et un certain optimisme pour l'avenir de l'Unesco. Mon pays ne forme pas seulement un voeu mais lance un appel vibrant afin que cet optimisme et cet espoir ne soient pas déçus et que les efforts du Directeur général et de ses collaborateurs n'aient pas été déployés en vain. Merci, Monsieur le Président.

23. Le Président :

Je remercie le délégué de Saint-Marin. Le délégué de l'Union des républiques socialistes soviétiques a la parole.

24. Делегат Союза Советских Социалистических Республик:

Спасибо господин Председатель. Господин Председатель, советская делегация принимала активное участие в разработке Декларации, которую мы приняли сегодня консенсусом, и мы были свидетелями напряженных, буквально титанических усилий со стороны ряда делегаций, лично Генерального директора, его помощников, которые они приложили для достижения консенсуса. Поэтому мы с особым удовлетворением поздравляем Генерального директора, всю нашу Генеральную конференцию с этим историческим событием.

Господин Председатель, мы отдаем себе отчет в том, что принятый текст Декларации представляет собой максимально возможный на сегодняшний день компромисс. Определенные положения этого документа могли бы быть лучше, как мы считаем, был лучше в целом и предыдущий вариант 20 C/20, но такова цена компромисса - каждый должен что-то уступить во имя общего успеха. Сегодня мы считаем более целесообразным говорить о том, какое принципиальное значение имеет принятие Декларации, чем делать оговорки, хотя каждая делегация имеет право их делать. Что же считает советская делегация самым главным в принятии Декларации?

Во-первых, впервые за многие десятилетия, а может быть впервые в истории, принят авторитетный международный документ, провозглашающий, что средства массовой информации призваны вносить вклад в дело мира, международного взаимопонимания, развития прав человека, в борьбу против расизма, апартеида и подстрекательства к войне. Во-вторых, мы видим значение Декларации в том, что она ясно подтверждает необходимость сочетания концепции свободы информации, за которую все мы выступаем, с концепцией ответственности средств массовой информации и журналистов: ответственности, вытекающей из особого характера их деятельности, а также сильно влияющей на международный климат. В-третьих, мы видим значение Декларации в том, что она ясно высказывается за перестройку международных отношения в области информации - отношений, сложившихся в результате колониализма и империализма. Она выступает за перестройку этих отношений на справедливой, сегодняшней основе, с учетом права развивающихся стран иметь свой собственный голос, иметь свои собственные средства массовой информации. Это важный шаг в сторону деколонизации информации, за что всегда выступал Советский Союз и словом, и делом.

Господин Председатель, в мои намерения не входило касаться сегодня вопросов философии, лежащей в основе коммуникационной политики различных обществ, которые мы здесь представляем. Но, к сожалению, мы сегодня много раз слышали нравоучения на тему о том, какие страны имеют свободную печать и какие не имеют свободной печати. Мы считаем, что эта тема здесь сегодня неуместна. Ясно, что большинство присутствующих в этом зале имеют совершенно иное представление о свободе информации, чем, скажем, лорд Томсон, г-н Херст или г-н Шпрингер и т.д. Об этой свободе печати лучше не скажешь, чем сказал один известнейший французский журналист, по-моему, Серван-Шребер, когда он написал в своей книге "Власть информации", что на Западе каждый гражданин имеет такую же свободу выпускать собственную газету, как запустить собственный спутник Земли. Поэтому, мне кажется, не надо здесь читать друг другу лекции о том, что такое свобода печати и тем самым принижать значение принятой Декларации.

Отдавая должное юмору, я бы не стал сравнивать нашу Декларацию с ребенком, родившимся от женщины, которая не знает от кого она рожает. Если продолжить эту мысль Ги де Мопассана, то можно представить себе такую картину: один из моряков команды не имел с этой женщиной таких отношений, от которых рождаются дети. Более того, он предложил перенести роды на более поздние сроки, а потом записал себя в число отцов, чтобы казаться настоящим мужчиной, а не быть белой вороной. Я думаю в ЮНЕСКО не такие порядки, чтобы не знали, что от кого исходит. Я надеюсь, на меня не обидятся за

этот юмор. Мы хорошо знаем, господин Председатель, кто предложил разработать эту Декларацию, мы знаем, кто выступал за ее принятие, мы знаем, кто был против этой Декларации. И Советский Союз, который принимал посильное участие в принятии этой Декларации, сегодня официально заявляет, что он сделает все, что в его силах, чтобы записанные в этой Декларации высокие идеалы и цели были претворены в жизнь. Спасибо, господин Председатель.

(24) The delegate of the Union of Soviet Socialist Republics (Translation from the Russian):

Thank you, Mr. Chairman. The Soviet delegation played an active role in the drafting of the Declaration that we today adopted by consensus, and we were witness to the intense, literally titanic, efforts made by a number of delegations, by the Director-General personally and his associates to achieve a consensus. It is, therefore, with a feeling of special satisfaction that we congratulate the Director-General, and the entire General Conference on this historic event.

We realize, Mr. Chairman, that the text of the Declaration as adopted represents the best available compromise under present circumstances. Some provisions of this document could be better, and we also feel that the previous version 20 C/20 was by and large superior, but a compromise is a compromise - everyone has to give a little to make it possible. We consider it more expedient today to speak of the fundamental importance implicit in the adoption of the Declaration than to express reservations, although it is the right of every delegation to do so. What, then, does the Soviet delegation feel to be the major importance of the adoption of the Declaration?

First of all, for the first time in many decades - perhaps for the first time in history - an authoritative international document has been adopted which proclaims that the mass media have a contribution to make to the cause of peace and international understanding, to the furtherance of human rights and to the combat against racialism, apartheid and warmongering. Secondly, we see the importance of the Declaration in the fact that it clearly confirms the necessity of combining the concept of freedom of information, which we all advocate, with the concept of the responsibility of the mass media and journlists, responsibility which derives from the special nature of their activities and which has a strong influence on the international climate. Thirdly, we see the importance of the Declaration in the fact that it calls unequivocally for the reorganization of international relations in the field of information - relations which were the outgrowth of colonialism and imperialism. It calls for the reorganization of those relations on the basis of present-day standards of equity, with due regard for the right of developing countries to have their own voice, to have their own mass media. This is an important step in the decolonizing of information, which the Soviet Union has always advocated both in word and deed.

It was not my intention, Mr. Chairman, to touch on the philosophy underlying the communication policies of the various societies which we represent here. But, unfortunately, we have heard today a great deal of moralizing about which countries enjoy a free press and those which do not. We feel that this subject is out of place today. Obviously, the majority of those present in this hall have a completely different concept of what constitutes freedom of information from, say, Lord Thomson, Mr. Hearst or Mr. Springer, etc. As regards that type of press freedom, the last word has been said by a famous French journalist - Servan-Schreiber, I believe - who, in his book Le pouvoir d'informer wrote that in the West every citizen has as much right to publish his own newspaper as to launch his own earth satellite. I feel, therefore, that this isn't the place to lecture one another on what press freedom is and, in so doing, detract from the significance of the Declaration that has been adopted.

In a lighter vein, I would not myself be inclined to compare our Declaration with a child born of an unknown father. But if we pursue that thought of Guy de Maupassant, we might imagine the following picture: one member of a ship's crew did not have the kind of relations with a woman that would make her pregnant. Moreover, he suggested that she postpone the date of the baby's birth to a later time, whereupon he put in his name as one of the fathers so as to be considered as a real man and not some queer bird. I don't think Unesco is the kind of place where there can be any doubt as to the paternity of something. I hope nobody will take offence at this note of humour. We know very well, Mr. Chairman, who suggested that this Declaration be drafted, we know who advocated its adoption, and we know who opposed it. And the Soviet Union, which worked hard for the adoption of the Declaration, officially states today that it will do everything in its power to realize the lofty ideals and aims which the Declaration embodies. Thank you, Mr. Chairman.

25. Le Président :

Je remercie le délégué de l'Union soviétique. Le délégué du Brésil a la parole.

26. Le délégué du Brésil :

Monsieur le Président, ma délégation tient tout d'abord à exprimer ses félicitations à M. M'Bow qui vient, avec l'Unesco, de remporter un grand succès. La délégation brésilienne a suivi avec un intérêt tout particulier le débat sur les problèmes de la communication et elle a participé aux négociations menées en vue de parvenir au consensus souhaité sur un sujet si complexe et d'une telle importance pour tous les Etats membres.

Fidèle à ses traditions, le Brésil a toujours adopté une attitude sans équivoque dans la lutte contre le colonialisme, l'apartheid, et le bellicisme dont la propagande est interdite depuis longtemps déjà par la Constitution brésilienne. C'est là une orientation constante de notre politique extérieure.

Dans ce même contexte, le Brésil croit qu'il n'est plus possible d'ajourner les mesures tendant à remédier au déséquilibre qui existe en matière de communication entre pays en développement et pays industrialisés. Pour ce faire, il est nécessaire de trouver des formules qui rendront possible un équilibre sans préjudice de la pluralité des sources d'information, du respect de la libre initiative et de la liberté d'expression. De même, la mise en place de structures techniques et professionnelles adéquates dans les pays en développement, fondement indispensable de l'instauration d'un ordre international de la communication plus juste, doit être considérée comme prioritaire.

Aussi la délégation du Brésil espère-t-elle que l'Unesco continuera à traiter ce thème avec sérénité et objectivité, dans la recherche de solutions amples et pragmatiques renforçant la circulation de l'information au niveau international, en tenant compte de la diversité des systèmes politiques, sociaux, économiques qui caractérise la conjoncture mondiale. La communication doit être avant tout le dénominateur commun qui unit les pays en développement et ne jamais servir à aggraver la disparité qui existe déjà entre le Nord et le Sud. C'est pourquoi nous sommes certains que le débat qui a eu lieu ici a permis de trouver ce dénominateur commun, lequel ne pourra que favoriser le développement et le perfectionnement de la communication en vue d'atteindre les objectifs permanents de l'Unesco. Le Brésil est prêt à collaborer intensément à cette tâche. Merci, Monsieur le Président.

27. Le Président :

Je remercie le délégué du Brésil. La déléguée du Portugal a la parole.

28. La déléguée du Portugal :

Monsieur le Président, le Portugal a participé sans réserve aucune au consensus qui a permis au projet de déclaration d'être approuvé par acclamation ce matin. Comme les autres délégués qui m'ont précédée, je tiens à exprimer la reconnaissance de la délégation portugaise à tous ceux qui ont oeuvré pour la réalisation de ce consensus. Celui-ci représente pour nous le témoin et le symbole de l'ouverture d'esprit et de la souplesse intellectuelle qui caractérisent l'homme de culture et de paix qu'est le Directeur général de l'Unesco auquel, au nom de mon gouvernement et en mon nom personnel, je tiens à rendre un hommage particulier. Mon pays a eu l'occasion de dire clairement combien il apprécie toutes les initiatives du Directeur général dans le domaine de la communication et en particulier la création de la Commission internationale d'étude des problèmes de la communication. Lors du débat sur ce sujet, nous avons exposé notre position à l'égard des problèmes si complexes de la communication. Je me permets de reprendre ici les idées fondamentales de cet exposé.

Le nouvel ordre international de l'information ne saurait se réduire, à notre avis, à un simple agencement quantitatif qui équilibrerait le flux de l'information entre le Nord et le Sud. Nous considérons l'instauration du nouvel ordre comme une entreprise essentielle pour que les sociétés redeviennent capables de se produire elles-mêmes, de faire face à leur évolution historique et de se donner un destin mobilisateur des hommes et des femmes et intégrateur de tous les efforts qui s'exercent en leur sein.

Pour nous, Monsieur le Président, la question de l'équilibre entre les différents acteurs de la communication à l'intérieur de chaque nation ne saurait être examinée à la seule lumière du libéralisme classique. L'affirmation que le droit de communiquer et de s'exprimer librement est un idéal démocratique doit toujours, à notre avis, être complétée par l'affirmation d'un principe de justice capable de remédier à la situation dans laquelle une minorité est la seule à pouvoir informer, émettre et s'exprimer tandis que la majorité resterait un récepteur passif. Les pratiques de la communication qui réduiraient l'information au statut d'un écoulement mesuré de nouvelles et de signes dans une seule direction, nieraient au départ la solidarité fondamentale entre les peuples et leur action en faveur de la paix dans le cadre de notre Organisation. C'est pourquoi, Monsieur le Président, nous considérons cette déclaration comme un jalon dans notre progression vers un nouvel ordre international de l'information. A nos yeux, ce jalon ne concerne pas seulement les gouvernements des Etats membres qui voient leur politique de la communication renforcée par un texte qui, quoique dit de compromis, représente l'effort de synthèse, le bond en avant qui sont les seules justifications des négociations qui ont lieu dans cette enceinte de la culture qu'est l'Unesco. Ce texte concerne aussi de façon toute particulière les professionnels de l'information. Nous souhaitons qu'ils soient mobilisés par les valeurs éthiques sous-jacentes à l'entente exprimée ici, et de moins en moins déterminés par des intérêts particuliers - politiques, économiques ou autres.

Mais nous manquerions à la vérité que nous nous devons à nous-mêmes si nous ne disions pas que pour le Portugal, le nouvel ordre international de l'information qui s'ébauche avec cette déclaration est aussi un nouvel ordre de l'information dans chaque pays. Nous rejoignons ce qu'a dit tout à l'heure le délégué de la Côte d'Ivoire : ce ne sont pas seulement les riches, les populations urbaines, les lettrés qui nous concernent. Nous avons à l'esprit les millions d'hommes qui restent en marge du courant de l'information mondiale. Nous exprimons l'espoir que cette déclaration facilitera la communication entre tous les hommes et toutes les femmes, en particulier dans les milieux les plus défavorisés, de telle sorte que les mass media soient au service de la communication orale, face à face, interpersonnelle, directe, dans laquelle se révèlent les richesses spirituelles de chacun.

En exprimant ce souci, nous avons à l'esprit aussi bien les immenses masses populaires des zones rurales de l'hémisphère Sud, qui n'ont accès qu'à des moyens limités dans le domaine de la communication, que les masses populaires de l'hémisphère Nord dont le conditionnement par le nouveau pouvoir que sont les mass media les empêche de participer de façon plus active à l'action en faveur de la paix et du respect des droits de l'homme dans leur société et dans le monde entier.

Monsieur le Président, je voudrais pour terminer encourager le Directeur général à poursuivre son travail dans ce domaine si complexe de la communication et lui citer à cet égard des vers du plus grand poète portugais contemporain qui, parlant du navigateur portugais qui, au XVe siècle, s'est aventuré au-delà des mers et a touché la terre d'une région africaine - la région même où est né Amadou-Mahtar M'Bow - dit ceci :

> "J'ai planté dans le sable doré le signe insignifiant de mon passage, et je suis allé de l'avant.
> De cette oeuvre audacieuse ce qui est fait vient de moi, ce qui reste à faire Dieu s'en chargera".

Voilà notre voeu, Monsieur le Président.

29. Le Président :

Je remercie la déléguée du Portugal. Le délégué de la République fédérale d'Allemagne a la parole.

30. The delegate of the Federal Republic of Germany:

Thank you Mr. Chairman. My delegation has joined in the consensus achieved here today on the new draft of a Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War submitted to us by the Director-General.

I have it at heart, first of all, to express now our thanks and our sincere appreciation to the Director-General, to whose untiring endeavours and wise guidance we are indebted primarily for this compromise. We should also like to thank all those who made it possible for this consensus to be reached.

Our support of the draft Declaration does not, however, cover every detail of the new text. My delegation would like to reserve to itself the right to make critical comments in detail upon the content of the Declaration when it is before the plenary meeting of the General Conference for final adoption. At this point I would like to stress that a new world information and communication order, as proposed by a number of countries, should, in the opinion of my Government, be firmly based on the same fundamental principle which is included in our document, namely, freedom of information. As Foreign Minister Genscher said during the general policy debate, "we are strongly in favour of a more balanced exchange of information between industrial and developing countries". My country is prepared to continue and extend its support for programmes aiming at the establishment of this kind of exchange. At the same time we are not ready, as Minister Genscher stated, to accept any text or programme which calls for State control of the information media or for so-called government responsibility for them. As my Minister said, in this world there is not too much freedom of the press, but too little. We shall continue to strive to increase this freedom. Thank you, Mr. Chairman.

31. Le Président :

Je remercie le délégué de la République fédérale d'Allemagne. Le délégué de la Zambie a la parole.

32. The delegate of Zambia:

Thank you, Mr. Chairman. The delegation of Zambia joins you and other speakers who have paid tribute to the Director-General for the tireless efforts which have resulted in the draft on which we reached consensus this morning. My delegation participated in the consultations on the draft in its capacity as Chairman of the Group of 77 and for us it is a matter of great satisfaction that we have achieved this consensus.

Permit me to place on record our understanding of the step we have taken this morning. For us in the developing countries, it marks the beginning of a new international information order which must of necessity evolve in parallel with the new international economic order towards which we are working. All these efforts are appreciated within the framework of decolonization. Zambia believes that the democratization of international relations that would result from a new order of things will take us closer to a more equitable order, and thus towards world peace. We are working for the creation of new attitudes which will make it possible for all members of the international community to forsake the exploitation of one country by another and to abandon war propaganda, racism and apartheid. In fact, Mr. Chairman, there is a crying need for every one of us - even those who advocate them - to forsake these evils, which are the certain causes of war. The acclamation with which we welcomed this Declaration is a sign that we mean business. Let us not turn back.

Finally, Mr. Chairman, permit me to express my delegation's appreciation to those Western delegations which have made a positive contribution to the consensus we have achieved today, despite pressures in their own countries against agreement to the draft, or to any draft at all. I should like to single out for particular mention, Mrs. Judith Hart, the head of the United Kingdom delegation, who worked with us on this issue and who gave us hope that we could work together in Unesco for the good of all its members. Thank you, Mr. Chairman.

33. Le Président :

Je remercie le délégué de la Zambie. La déléguée de la Pologne a la parole.

34. The delegate of Poland:

Thank you, Mr. Chairman. In congratulating the Director-General on his long-term efforts, and in congratulating Unesco and ourselves on the adoption of the Declaration, my delegation is fully aware that the text is not ideal; nor does it bear comparison with the original draft of document 20 C/20, which was already a compromise text. But from the outset, my delegation and my country have fully supported the Director-General; we continue to do so, notwithstanding certain reservations with regard to the text we have adopted.

Mr. Chairman, we understand that to reach consensus on such a controversial issue always requires considerable concessions on every side. Besides, one should, at certain moments, view things in a broader perspective, and where what I described this morning as historical decisions are concerned, minor points should be disregarded, and attention focused on the essence of the problem.

From this point of view, we may consider the mere act of the adoption of the Declaration as a victory, victory for everybody, for the whole international community, and for our Organization in particular: victory for all those reasonable and responsible people - although I have recently noticed an especially irrational phobia with regard to our objective - I repeat for the responsible people in our international community who look ahead, who see the world in a wider sense and who see the need to introduce more just and equal and more advantageous relations in the field of information, both for the developing countries and for many other countries as well.

Whatever we may think of the Declaration as it stands, it is the first full document to confer certain obligations on the mass media and to define their role and contribution in support of such worthy causes as the strengthening of peace and international understanding and the promotion of human rights and the combating of such negative phenomena as racialism, apartheid and incitement to war. I said "the first full document", because it would be wrong to suggest that the sphere of information has up to now been an empty one. This is not at all the case. A mere look at the preamble of the Declaration shows how many resolutions, conventions and declarations have already in one way or another concerned this important field in its international aspects and dimensions, containing as they do certain norms, principles and ethical standards for those powerful instruments of information which shape and influence our minds and hearts, our views and our emotions, our value systems and our knowledge.

Mr. Chairman, the Declaration constitutes a moral obligation, but an obligation none the less, whether or not we use the word itself in the text. In all United Nations and Unesco documents, in all bilateral agreements, in the ethical codes of the vast majority of journalists' associations themselves throughout the world, Western countries included, freedom of information is accompanied by social responsibility. As the Director-General stated in his inaugural address to the first session of the MacBride Commission, "Those who exercise a freedom to which they are rightly attached must take its significance to heart, that is to say, its effects on others, and the responsibilities which it entails, for does it need to be recalled that freedom without responsibility is not freedom but licence". Journalists all over the world are not happy-go-lucky, irresponsible free agents; they are social agents, they are servants of their own society and of all mankind, whose problems and joys are the very object of their work. That is why I hope that the journalists and mass media practitioners the world over will themselves accept and apply the Declaration with all seriousness and sincerity. As for my country, I can assure you, Mr. Chairman and Mr. Director-General, that the journalists and the mass media of Poland will do their utmost to fulfil the Declaration both in letter and in spirit in the best possible way.

Permit me, Mr. Chairman, before the end of my intervention, to extend my personal thanks to all my friends, to all the members of the various groups, macro-, micro-and mini- alike, to all the representatives of the Secretariat and many other people from Nordic countries and from Western countries, our host French delegation included, with whom I have had the pleasure of working on this consensus. I am particularly grateful for their real contribution, for their actual contribution, it might be better to say, or at least for their moral support - moral support which in the given circumstances and atmosphere, especially at the beginning, was so much needed and appreciated by me personally. May I conclude by adding a word to our discussion on the parentage of our child, the Declaration. I am the veteran - and perhaps the only one of them in this room today - among those who were present at its conception, in March 1974. And even then, we reached consensus. So perhaps I am the mother, after all! Thank you, Mr. Chairman.

35. Le Président :

Je remercie la déléguée de la Pologne. Le délégué de l'Indonésie a la parole.

36. The delegate of Indonesia:

Thank you Mr. Chairman. We asked for the floor because we feel duty bound to explain our attitude to the adoption of this Declaration by consensus. In principle, we support the aims and spirit of the Declaration and we did not want to stand in the way of its adoption by consensus. But before giving our explanation, Mr. Chairman, we want to express our deep appreciation to the Director-General and his staff and to all the delegates of the Member States for their untiring efforts during the last few days to produce a compromise text which would be acceptable to all and which has now been adopted. We realize the difficulties that had to be surmounted to produce a text which would enjoy the general support of all Member States. We also realize that what we have agreed upon today is the maximum that we could achieve under the present circumstances.

Nevertheless, after having studied all the relevant documents, the Indonesian delegation feels that there are several principles contained in the previous documents which could have been retained in the adopted Declaration.

Let me first of all refer to the principle of non-interference in internal affairs and respect for national sovereignty. This principle was adequately formulated in certain documents I have referred to. We feel that this principle is only partly reflected in Article XI of the adopted Declaration, which specifies only respect for the legislative and administrative provisions of Member States.

Secondly, we believe in the principle of a free and responsible press. According to our understanding, the freedom it enjoys should be coupled in its application with a sense of responsibility for the improvement of law and order, for the general well-being of the people as well as for the effective implementation of the democratic process. In this connection, we hold the view that Article VIII would have to be interpreted in the spirit embodied in paragraph 9 of the preamble.

Last but not least, Mr. Chairman, we regret and consider it as very unfortunate that the concept of a new international information order has been very much watered down, as the establishment of the new international information order would bring the unsatisfactory situation in the field of communication and information to an end and start a new era in information.

Mr. Chairman, it is against this background that we would like to put on record the standpoint of the Indonesian delegation on this Declaration. Let me conclude, Mr. Chairman, by saying that we accept this Declaration with the foregoing explanation. I thank you.

37. Le Président :

Je remercie le délégué de l'Indonésie. La déléguée de la Bulgarie a la parole.

38. The delegate of Bulgaria:

Thank you, Mr. Chairman. After the very many eloquent speakers who have preceded me, it is difficult for me to find a totally new approach, to say something totally different. I shall not even try to do so, Mr. Chairman, because this day is not a day for underlining differences and certainly not a day of unwillingness to understand each other and co-operate with each other. On the contrary, Unesco's victory today is a victory for the ideals we share, the principles that unite us and the common will to confirm the foundations of peace and security - to find ways and means of better mutual understanding and peaceful coexistence.

Mr. Chairman, from the very beginning the Bulgarian Government has ardently supported the idea of adopting a Declaration on the fundamental principles concerning the contribution of the mass media to the solving of the crucial problems of our time: from 1972, when the idea was first launched in Unesco by the Byelorussian Soviet Socialist Republic I believe that the Byelorussian delegation can well claim to be the original father of the child we have welcomed.

In Nairobi, it was my privilege to express my Government's view that the adoption of the Draft Declaration might be postponed but could not be avoided, because such a Declaration corresponded to the wish of the great majority of Member States and progressive people all over the world. Now, when the Declaration has been adopted by consensus, in spite of the stubborn effort of some to bury it under piles of misinformation and heaps of misinterpretation, in spite of the dark predictions that this Declaration was doomed to die, made by certain representatives of certain big information agencies, I would like to join my voice to those before me who have congratulated all who have taken an active part in negotiating the present text. I would like to pay tribute first of all to the Director-General, without whose wisdom, determination, optimism and belief in the ideals and vocation of Unesco, the achievement of a consensus would not have been possible.

The text of the Declaration is certainly not perfect; to mention just one thing, we would have liked to see a more explicit formulation of the responsibility of journalists and those who govern the mass media. But we believe that the merits of the Declaration by far exceed its shortcomings, and without doubt the very fact that a Declaration on this extremely important issue has been adopted by acclamation should be welcomed.

On behalf of the Bulgarian delegation I would like to express on this memorable day, as other representatives of socialist countries have done, our satisfaction that Unesco has lived up to the expectations of millions of people who wish to see the mass media serving peace and not war, serving international co-operation and not providing irresponsible and biased interpretations of world events - people who would like to see a more just international information order and the full decolonization of communication, towards which we believe this Declaration is an important step. Thank you, Mr. Chairman.

39. Le Président :

Je remercie la déléguée de la Bulgarie. Le délégué des Pays-Bas a la parole.

40. The delegate of Netherlands:

Thank you Mr. Chairman. I shall be brief in my comment on our adoption by consensus of the draft Declaration. The Netherlands delegation expresses its satisfaction that, owing to the tenacious efforts of the Director-General, of the President of the Conference, of the Chairman of this Commission and of many others, it was possible finally to reach a consensus on a text for the draft Declaration on fundamental principles concerning the contribution that the mass media can make to the causes mentioned in the title of that draft Declaration, 20 C/20 Rev. The Netherlands delegation congratulates Unesco, its Member States, its Director-General and its Secretariat on this result.

Having said this, Mr. Chairman, the Netherlands delegation, if it had had its own interests solely in mind, would never have felt the need for an international instrument of this kind. This statement is in conformity with the views expressed by the Netherlands delegation in all the discussions that have taken place in the years during which this draft Declaration was under preparation.

But, Mr. Chairman, in the perspective of the plurality of Unesco, the Netherlands delegation accepts the fact that other delegations are sincerely convinced of the desirability of adopting a Declaration of this kind and respects their conviction. In this spirit of compromise, we have co-operated in the efforts to adapt the text of document 20 C/20 in order to achieve a consensus. In supporting the consensus on the adoption of this draft Declaration, the Netherlands delegation was exclusively concerned with the need to comply with the legitimate wishes of the developing countries.

However, Mr. Chairman, I regret to have to state that the reference in the draft Declaration to the aspiration of the developing countries for the establishment of a new, more just and more effective world information and communication order gives rise to certain doubts in our minds. If these aspirations are directed towards diminishing the disparities in mass media infrastructures between developed and developing countries, we are more than willing to accept this concept. But, if, in the future, this concept of a new, more just and more effective world information and communication order is modified and eventually replaced by the concept of a new international information order, that would be a source of considerable concern for the Netherlands. Our reservation on the concept of a new international information order stems from the fact that the meaning and implications of this concept have nowhere been clearly defined as yet. If this concept means that the legitimate interests of the developing countries are to be recognized, we want to co-operate fully, both bilaterally and multilaterally, as we have shown already by the offer of assistance we made in earlier discussions in this Commission. If, however, this Declaration is a first step towards restriction in the future of freedom of information, expression of opinion and fundamental human rights through governmental control on editorial content, a fear expressed by several speakers earlier in our discussions, we shall not be willing to accept this. Both the Constitution of Unesco and the Constitution of my country would forbid us to do so. Thank you, Mr. Chairman.

41. Le Président :

Je remercie le délégué des Pays-Bas. La déléguée de la République démocratique allemande a la parole.

42. La déléguée de la République démocratique allemande :

Monsieur le Président, je voudrais exprimer la satisfaction de la délégation de la République démocratique allemande devant le fait que la Commission a approuvé par consensus le projet de déclaration figurant dans le document 20 C/20 Rev. La RDA a toujours appuyé les efforts déployés par l'Unesco pour énoncer les principes fondamentaux appelés à régir l'action des moyens de grande information, avec un souci élevé de sa responsabilité. Depuis 1970, lorsque, sur l'initiative de l'Union soviétique et de la Biélorussie, l'Unesco a adopté la résolution 16 C/4.301, nous avons toujours exposé clairement notre position au sujet de l'adoption d'une déclaration sur la contribution des mass media à la paix et à l'entente entre les peuples et à la lutte contre la propagande belliciste, le racisme et l'apartheid. Comment l'immense potentiel des mass media peut-il être mis au service de la paix, de l'entente, de l'indépendance nationale et du progrès social des peuples, et comment peut-on prévenir l'utilisation abusive de ce pouvoir à des fins de propagande belliciste, de guerre psychologique, d'attisement des tensions et d'empoisonnement de l'atmosphère internationale ? Cette question est l'une des plus importantes de celles qui sont posées au monde d'aujourd'hui.

Monsieur le Président, nous pensons que le texte approuvé par nous tous aujourd'hui peut largement contribuer à donner une réponse positive à cette importante question. Aussi paraît-il apte à servir de base à des activités futures de l'Unesco qui viseront à augmenter le sens des responsabilités des organes d'information et des journalistes, qui doivent fournir une information universelle, exacte et objective.

Bien que notre délégation ait certaines réserves à formuler sur différents articles du projet de déclaration, nous l'avons approuvé car il représente un important pas en avant. La délégation de la République démocratique allemande considère que ce texte est l'aboutissement d'une initiative importante prise par l'Unesco pour souligner la responsabilité des moyens de grande information en ce qui concerne le maintien de la paix, la compréhension internationale et la lutte contre la propagande belliciste, le racisme et l'apartheid.

Monsieur le Président, avant de terminer, je tiens à exprimer au Directeur général tous nos remerciements pour les grands efforts qu'il a personnellement déployés. Je vous remercie, Monsieur le Président.

43. Le Président :

Je remercie la déléguée de la République démocratique allemande. La parole est au délégué de la Suède.

44. The delegate of Sweden:

Thank you, Mr. Chairman. We should also like to join those who have congratulated the Director-General on the consensus that has been reached. We sincerely admire his efforts in this respect.

We support the request for a better structured balance for mass media in the world. This is not just lip service to a challenge we have met from so many countries in the Third World. We agreed wholeheartedly that the present situation is unsatisfactory. There are deep inequalities between countries when it comes to national news media structures - broadcasting facilities, number of radio and television receivers, national news agencies, newspaper printing and distribution possibilities, etc. These inequalities also influence the global transmission of news. It means that the media in countries with a less developed structure tend to depend heavily on imported information; it also means that news reporting from those countries tends to be more fragmentary than many would like to see. Our view, Mr. Chairman, is that the international community has a responsibility to strive to reduce these inequalities.

In the national context, we feel that the authorities may contribute to achieving a balanced media structure. Their support could in fact be important to safeguard a free flow of information. But, Mr. Chairman, this does not mean State intervention in respect of the content of newspapers, radio and television programmes. One of the main sources of distortion of news can be government control or even censorship of the content of mass media. It is, in our opinion, indeed important that the mass media should be free to publish all kinds of information, whether correct or incorrect, whether partial or impartial, whether objective or subjective. It is also important that they should be free to publish all views or opinions, whether we like them or not. In this wide freedom of the mass media lies the most effective guarantee against oppression and manipulation. Mr. Chairman, the draft Declaration as we interpret it does take the two following considerations into account. We recognize the need for a better balanced structure, but we also underline the right to freedom of expression and the need to protect journalists in their work.

The text of the Declaration is the result of long, difficult and sometimes even painful deliberation. We for our part are not totally happy with this text; I guess, as a matter of fact, that no one is. It bears many signs of a compromise. We indeed have difficulty in accepting some of the paragraphs in the preamble and in the operative part of the Declaration, but I do not find it necessary to go into detail on this point. In spite of these difficulties, it goes without saying that we have, of course, participated in the consensus on the text before us. Many of us, Mr. Chairman, have certainly learned a lot from our discussion. There is a better understanding today of the depth of the global problems concerning information flows. Similarly we feel that countries with other traditions than ours in the field of press freedom have realized to a great extent the fundamentals of our conception. We hope now, Mr. Chairman, that we soon can begin to discuss more practical steps to create a more balanced media structure and at the same time protect even more effectively the free flow of information and the working possibilities of journalists. Thank you, Mr. Chairman.

45. Le Président :

Je remercie le délégué de la Suède. La parole est au délégué de la Belgique.

46. Le délégué de la Belgique :

Merci, Monsieur le Président. Comme les orateurs qui m'ont précédé, je tiens à rendre un vif hommage à la persévérance et à la haute conscience avec lesquelles le Directeur général s'est efforcé de s'acquitter du mandat qui lui avait été confié. Le document 20 C/20 Rev. est venu à son heure : je n'en veux pour preuve que les applaudissements qui ont retenti tout à l'heure dans cette salle. Je veux aussi rendre hommage à tous ceux qui ont contribué à faire en sorte que cette journée du 22 novembre 1978 puisse être qualifiée d'historique.

Monsieur le Président, j'ai volontiers participé au consensus et je voudrais préciser dans quel esprit je l'ai fait. En premier lieu, comme l'a récemment rappelé le délégué de la Belgique lors du débat sur le rapport intérimaire de la Commission internationale d'étude des problèmes de la communication, Voltaire a écrit quelque part que la liberté tient aux Belges comme la chair tient aux ongles. Nous sommes en particulier fort attachés à la liberté de la presse, notamment à sa liberté à l'égard de l'Etat et c'est là une des conceptions fondamentales de notre système politico-social. C'est pourquoi nous n'aurions pas pu accepter un texte qui eût été de caractère normatif et qui eût impliqué l'exercice par l'Etat d'un contrôle sur les moyens de grande information. De plus, en ce qui concerne le principe même d'une déclaration, nous n'y étions en aucune façon opposés mais nous ne nous trouvions pas non plus en position de demandeurs.

En deuxième lieu, je voudrais dire à mes amis des pays en voie de développement toutes la sympathie que j'éprouve à l'égard de leurs préoccupations, et combien je comprends par exemple le souci mille fois légitime qu'ils ont de faire projeter dans le monde une image qui soit le reflet exact de leur situation et de leurs problèmes. C'est dans cet esprit que j'ai cosigné le projet de résolution 20 C/DR.298 qui était examiné par notre Commission dans un autre contexte. C'est aussi dans cet esprit que je tiens à souligner toute l'importance que nous attachons au paragraphe 3 de l'article X du projet de déclaration. Merci, Monsieur le Président.

47. Le Président

Je remercie le délégué de la Belgique. Le délégué de la Hongrie à la parole.

48. The delegate of Hungary:

Mr. Chairman, the Hungarian delegation wholeheartedly welcomes the decision taken this morning to adopt unanimously document 20 C/20 Rev. presented to us by the Director-General. We interpret this historic moment for Unesco as the ending of one period of its work in the realm of communications and the beginning of a new one.

My delegation, Mr. Chairman, has always favoured the elaboration of guiding principles designed to facilitate the work of the mass media in strengthening peace and international understanding; in promoting the rights of individuals, societies and nations; and in helping the means of modern communication to combat racialism, apartheid and war propaganda.

As a matter of fact, since 1972, when at the request of our distinguished Soviet colleagues this idea was introduced into the working processes of Unesco, we have endeavoured to contribute actively in outlining these principles and in helping the Director-General in his efforts to draw up an appropriate document. We did so in the profound conviction that this international body had to face up to the hard realities of the world today in the sphere of communication as well as in other fields. We did so in the belief that - as we attempted to point out in the debates of the last General Conference - the principles of classical liberalism do not work any more, or if they do, it is in the sense of sustaining the existing imbalances, inequalities and injustices of the world communication system.

We believe, Mr. Chairman, that the Declaration which we have adopted reveals that more and more nations are conscious of this, and that more and more societies are envisaging the new possibilities and duties of the mass media, the new avenues of action and the new responsibilities of all the actors and agents of mass communication in our world. Can we be content with the result of our deliberations and actions, as they are embodied in the Declaration? The Hungarian delegation's answer is: yes. We are convinced that it marks a victory for all those forces in the world which wish communication to serve the historical development of mankind. It is on this point, Mr. Chairman, that I should like to express our gratitude to the Director-General, who, with his efforts, insight, understanding and empathy, has succeeded in creating a field of compromise for all these forces. And so we can, and I believe we must, be jubilant in this victory.

At the same time, however, we should not forget that, having closed one definite period in the history of international communication, we have opened a new one, in which the tasks, duties and obligations that lie ahead will be no less difficult than the preceding ones. This is not only because the Declaration, like every compromise text, may be subject to different interpretations on certain crucial points, but also because the principles which it enshrines should be put into practice by Member States, by the mass media institutions, by professional organizations and by the communicators themselves. And this will not be an easy process. It will be full of contradictions and daily confrontations; but in the long run, Mr. Chairman, I am convinced that it will bear fruit. Let us not forget that our own generation has learnt only how to live with the mass media. Our children's generation has already learnt how to use the mass media. With this Declaration, I hope, Mr. Chairman, that we are giving our children a key to understanding how they may profit from the immense possibilities of the mass media, in their own long-term interests. Thank you very much, Mr. Chairman.

49. Le Président :

Je remercie le délégué de la Hongrie. Le délégué du Pakistan a la parole.

50. The delegate of Pakistan:

Mr. Chairman, having already supported wholeheartedly the adoption of the Declaration on the Mass Media, the Pakistan delegation welcomes this opportunity to pay a special tribute to the Director-General for his devotion to the ideals of Unesco and to the cause of justice and peace among the peoples of the world, which enabled him to work hard and with dedication and determination to achieve an agreed text of this historic Declaration.

The very fact of having this agreed text before us today, and of having adopted it unanimously, also confirms our faith in ourselves as members of Unesco, particularly in those of our worthy colleagues - men and women of goodwill, such as the most eminent Mr. Masmoudi from the Group of 77, or Mrs. Hart from the West - who have more directly contributed to the general consensus represented by the agreed text of the Declaration. They have shown great understanding and a great genius for consensus. This further fortifies our faith in the future of Unesco and the continued contribution which this great Organization can, hopefully, make to the well-being of humanity.

Now, with its great promise as a historic document, this Declaration also underlines the equally great responsibility which devolves upon the Member States to uphold its ideals and to further consolidate the noble spirit which permeates its formulation. In our view, a biennial assessment of its impact in terms of its acceptance during the next decade should enable us to move forward on the path which we have willingly set for ourselves today. Thank you, Mr. Chairman.

51. Le Président :

Je remercie le délégué du Pakistan. La déléguée de la République arabe syrienne a la parole.

٥٢ — مندوبة الجمهورية العربية السورية :

سيدى الرئيس، شكرا لاعطائى الكلمة، وأرجو أن تسمحوا لى بأن أتوجه باسم وفد الجمهورية العربية السورية بالشكر والتقدير للسيد المدير العام والاشادة بالجهود الطيبة التى بذلها ليقدم لنا مشروع اعلان أجمعت الاطراف كافة على الموافقة عليه، جهود تضاف الى الكثير مما سبق أن قدمه السيد المدير العام ونحفظ له الود والاحترام الكبير عليه .

هذا وأرجو فى الوقت نفسه أن أبيّن أن وفد الجمهورية العربية السورية قد وافق على هذا المشروع من منطلق أنه الخطوة الأولى على طريق محاولات السعى الى تضمينه فى المستقبل مطالب الشعوب النامية كاملة .

سيدى الرئيس، ان شعوب العالم الثالث المتمسكة بحريتها الكاملة فى الفكر والسلوكية والممارسة ورسم معالم الحياة الجديدة التى تتطلع اليها — اذ ترفض واقع النماذج الاعلامية المقننة وتأطير القضايا من جانب واحد على الشكل الذى تفرقها به وسائل اعلام القوى المتسلطة محاولة أن تهيمن بها على حواس وتفكير وعقلية وسلوكية هذه الشعوب لتسعى بكل قواها الى تغيير هذه الانماط التى تستمد وجودها منذ قرون طويلة من فرض التبعية والظلم والتفاوت الطبقى بين الشعوب . ومن هنا، سيدى الرئيس، تبرز بالنسبة لنا أهمية السعى لتحقيق مسؤولية أجهزة الاعلام لعرض تطلعات وقضايا وكفاح الشعوب بأمانة وموضوعية، وعلى مستوى مواز للذى تعرض به جميع القضايا التى تهم المجتمعات المتقدمة، وتحقيق تبادل حر ومتوازن للمعلومات بين شعوب العالم النامى وشعوب العالم المتقدم فى المحتوى والحجم والكثافة، بما فى ذلك تجنب أية ممارسات ناتجة عن أفكار ثابتة أو عرض وجهة نظر من جانب واحد فقط . ونحن اذ نوافق هنا على المشروع الذى تقدم به السيد المدير العام، فاننا نظل نعتبره حدّا معينا من المطالب التى تهم مصالح الشعوب النامية ونقبل هذا المشروع من منطلق الشعور بالمسؤولية الجماعية تجاه المجتمع الدولى وتجاه مجموعة عدم الانحياز ومجموعة دول الـ ٧٧، وعلى أنه مدخلا الى المستقبل يبدأ بالالتزام بالاسهام فى قضايا دعم السلام والتفاهم الدولى وتعزيز حقوق الانسان ومكافحة العنصرية والفصل العنصرى والتحريض على الحرب . ولعلّ هذا المشروع يصل عمليا وفى محاولات مستقبلية، ولعلّ ذلك فى الدورة الواحدة والعشرين للمؤتمر العام، لان يدعو، اضافة الى مكافحة العنصرية والتحريض على الحرب، على حضّ وسائل الاعلام على مناصرة قضايا التحرر ومناصرة الحقوق الشرعيّة لشعوب العالم الثالث والدول النامية . ولعلّه حين ذاك تمتنع بعض وسائل الاعلام الكبرى المهيمنة، على الأقل، عن تحيّزها التاريخى واستمرارها فى تشويه الحقيقة والتباكى مع المعتدين على الشعوب وعلى رأسهم المعتدين الصهاينة فى الأرض العربية المحتلة، بدل مناصرة شعب تمارس على أفراده جميعا أشكال التعذيب والتنكيل والذبح وخنق الحريات وانتهاك الحقوق، فى الوقت الذى يحرم فيه حقّ تقرير المصير على أرض أجداده .

السيد الرئيس، لقد عبر السيد مندوب الجزائر فيما قاله عن حرية الصحافة كمعنى وكممارسة، عن الكثير مما كنا نود أن نقوله؛ ولقد قدمه ببلاغة وتفصيل كافيين وليس لدينا مانضيفه الى ذلك . ونحن اذ نقدم الشكر للسيد المدير العام على الجهود العظيمة التى يبذلها لاعداد مشروعه المشار اليه، لواثقين بأنه سيتّفهم تطلعات الشعوب النامية أو الثائرة فى سبيل التحرير، ويعتذر انه مازال هناك الكثير مما يتطلب انجازه فى هذا المجال، ونخص هنا بالذكر اقامة نظام اعلامى دولى جديد، ودراسة جميع الاجراءات الأخرى المطلوبة لاقامة هذا النظام . وسوف يدعو ذلك الى ادخال مجموعة من التطويرات فى الأوضاع الاعلامية على الصعيد الوطنى فى مختلف دول العالم وعلى الأصعدة الاقليمية والدولية آخذا بعين الاعتبار مختلف المواثيق والاتفاقيات والقرارات التى حاولت فى هذا المجال أن تقيم بعض ما يجب اقامته فى مجال الحفاظ على حقوق الانسان من جهة وعلى مبدأ العدالة والتوازن وحماية حريات الشعوب واستقلاليتها واحترام قيمها الثقافية والحضارية وحماية ثرواتها من جهة أخرى . ومن ذلك أيضا وضع قواعد سلوك جديدة لنقل تكنولوجيا المعلومات ضمن اطار نظام دولى جديد لقواعد السلوك لنقل التكنولوجيا عامة مما يشجع ويسهل نقل التكنولوجيات الاعلامية الجديدة الى دول العالم الثالث .

وهنا يأتى دور اليونسكو فى تنظيم ذلك ودور الدول المتقدمة أيضا مع المنظمات الدولية والاقليمية فى تقديم المساعدات لتدريب العناصر اللازمة لتشغيل الأجهزة واعداد الكادرات فى مستوى يؤهلها ويمكنها من حسن الاختيار ومعالجة المعلومات والاسهام من خلال ذلك فى خدمة مجتمع تعمل على دعم تطلعاته المنسجمة مع القيم الوطنية والمتمشية مع التنمية الذاتية لمجتمعات العالم الثالث .

واذ نعود الى تقديم الشكر للسيد المدير العام الذى يبرهن فى هذه المناسبة أيضا اضافة الى مناسبات أخرى سابقة، أنه أحد الابناء البررة لبلاد العالم الثالث فانّا نحيّ فى شخصه عزم اليونسكو وتفهمها لتطلعات هذه الشعوب ونظل واثقين أن اليونسكو سوف تتابع الجهود المتواصلة على درب العدالة والدفاع عن حقوق الشعوب وقيمها الذاتية والحضارية . وشكرا سيدى الرئيس .

(52) The delegate of the Syrian Arab Republic (Translation from the Arabic):

Mr. Chairman, I should like, on behalf of the delegation of the Syrian Arab Republic, to congratulate the Director-General on having brought his earlier and much appreciated efforts to such a successful conclusion by presenting us with a draft declaration which has been unanimously approved by all parties. At the same time, I should like to state that the delegation of the Syrian Arab Republic approved this draft as a first step towards its eventual expansion to reflect the aspirations of the developing nations in their entirety.

The peoples of the Third World, determined to exercise to the full their freedom of thought and behaviour and the right to shape for themselves the new life to which they aspire, reject the established information models with their one-sided presentation of issues in the form selected by the media of the dominating powers in an attempt to control the perceptions, thinking, mentality and beheaviour of the developing nations.

They are striving to change these models, which have their roots in long centuries of oppression during which dependence, injustice and class inequality were imposed upon peoples. That is why we attach such importance to the establishment of responsibility on the part of the media for honest and objective presentation of the aspirations, problems and struggles of our peoples, on an equal footing with their presentation of issues which concern the developed societies; to the achievement of an exchange of information between the peoples of the developing world and the peoples of the developed world which is free and balanced as regards content, volume and intensity; and to the elimination of all practices resulting from prejudice or one-sided reporting, while approving the present draft, we still do not regard it as reflecting the interests of the developing countries in their entirety; our acceptance of it is motivated by a sense of collective responsibility towards the international community, the Non-Aligned Group and the Group of 77, and by the fact that we see it as an important first step inasmuch as it imposes a duty to contribute to strengthening peace and international understanding, to the promotion of human rights and to countering racialism, apartheid and incitement of war. Perhaps this draft will in due course and as a result of further endeavours - possibly at the twenty-first session of the General Conference - be expanded to call for the mass media to be encouraged to support the liberation struggles and legitimate rights of the peoples of the Third World and the developing countries. Only then, perhaps, will some at least of the more powerful mass media abandon their historic partiality and constant distortion of the truth, and instead of bewailing the fate of the world's aggressors - foremost among whom are the Zionist aggressors in the occupied Arab territories - support the cause of a people subjected to every form of torture, persecution, slaughter, suppression of freedoms and violation of rights, including the right to determine its own destiny in the land of its ancestors.

As regards the concept and practice of press freedom, we have nothing to add to the eloquent and detailed remarks of the delegate of Algeria. While we are grateful to the Director-General for all the effort he put into the preparation of his draft, we feel sure that he will understand the aspirations of the developing countries and of the peoples that are struggling for liberation. This is a field in which, unfortunately, much still remains to be done; we would mention specifically in this connection the establishment of a new international information order, and the study of all the other measures necessary for the establishment of such an order. This will entail a number of changes in national, regional and international information arrangements, taking into consideration the various charters, conventions, resolutions and decisions which have attempted to bring about improvements in this field as regards the safeguarding human rights on the one hand, and of the principle of justice, equilibrium, the protection of the peoples' freedoms and independence, respect for their cultural and civilizational values and the protection of their wealth, on the other hand. This also calls for the laying down of a new code of ethics for the transfer of information technology, within the framework of a new international order for the ethics of technology transfers in general, which encourages and facilitates the transfer of new information technology to the countries of the Third World. Unesco has a role to play in organizing all this, and so too have the developed countries, which can help, in co-operation with the various international and regional organizations, by providing assistance for the training of the necessary technical and other personnel to a standard at which they will be able and qualified to make sound choices, to process information and to contribute thereby to the service of their society and the realization of its aspirations, in harmony with national values and with the development of the Third World as a whole.

We reiterate our thanks to the Director-General, who has proved that he is a faithful and devoted son of the Third World; we greet in his person the determination of Unesco and its understanding of the aspirations of these peoples, and we remain confident that Unesco will continue its untiring efforts on behalf of justice and defence of the rights of peoples and their indigenous civilization and values. Thank you, Mr. Chairman.

53. Le Président :

Je remercie la déléguée de la République arabe syrienne. Le délégué de la Nouvelle-Zélande a la parole.

54. The delegate of New Zealand:

The New Zealand delegation was pleased to be able to join the consensus on the Declaration on the Mass Media. It was an item on our agenda which had attracted considerable public attention. It had been the object of widespread comment by many, if not all, of those very institutions which are its subject matter. It was important, even crucial, for Unesco's credibility that any Declaration which was to be adopted would be capable of attracting the widest possible support. The New Zealand delegation is therefore grateful to the Director-General, to that small body of distinguished and dedicated representatives who have worked so long and so hard, together with certain, no less dedicated, members of the Secretariat, in the effort to prepare for our consideration a text which might be capable of attracting such support.

To be frank, Mr. Chairman, we must admit to having had considerable doubts about the very idea of the Declaration when it was first raised. The right of the press to be free of any form of intervention or control by the State is a right which has been enjoyed in New Zealand since the days when the first newspaper was printed there. It has subsequently been extended to other and newer forms of mass media. It is a right firmly supported and jealously guarded, not only by newspaper proprietors or working journalists but by all New Zealanders. It is a right inextricably woven into the fabric of our society. It goes without saying, therefore, that we could not have accepted, and still cannot accept, that, in principle, and far less in practice, the State should have the capacity to direct, determine, or influence in any way the activities of the media; that the State should be able to decide what information should be published by the media, or in what manner that information should be presented. Any interpretation of this Declaration must take full account of these principles.

In making these comments, Mr. Chairman, we do not in any way wish to try to dismiss or ignore some of the other important problems to which the Declaration directed attention. We are as aware as anyone that in many respects the world-wide flow of information is unsatisfactory. In too many parts of the world access to existing sources of information is severely limited, and the capacity to develop new sources and outlets so restricted as in some cases to be almost non-existent. Even in this age of so-called instant communication, one cannot remain long in a country as physically isolated as New Zealand without being aware of some of these facts. We too have had experience of the frustration associated with the problem of trying by way of the mass media to get across to the outside world basic facts about our circumstances and our policies. Moreover, the damage that can be caused by the over-selective use by the mass media of information which, in itself, may be less than full, is something of which we are all too sharply conscious. This, Mr. Chairman, is of course a universal problem; from time to time it troubles even the largest and the wealthiest. But it weighs heaviest on those who, unlike New Zealand, have almost no practical facilities for combating it. None the less, such facilities do exist. Help can be provided in their acquisition. The problem of the adequate dissemination of information is a very real one, and there is clearly a need for the international community to take practical steps to help develop the appropriate infrastructures at both the national and international levels. This is an area in which it is more than appropriate for Unesco to be involved. We are gratified, therefore, that a number of these practical considerations are now more clearly reflected in the Declaration we have adopted.

On one element of the Declaration, Mr. Chairman, I must register a formal reservation. It relates to the reference in preambular paragraph 5 to the International Convention on the Suppression and Punishment of the Crime of Apartheid. The position of the New Zealand Government on this Convention is well known. Our support for the consensus on this Declaration in no way affects that position. Thank you, Mr. Chairman.

55. Le Président :

Je remercie le délégué de la Nouvelle-Zélande. Je donne la parole au Directeur général.

56. Le Directeur général :

Monsieur le Président, je dois maintenant quitter la Commission, mais M. Makagiansar, sous-directeur général pour la culture et la communication va rester dans cette salle et il me rendra compte de ce qui aura été dit après mon départ. Je tiens à remercier tous ceux qui ont pris la parole et à assurer ceux d'entre vous qui ont exprimé des préoccupations que je leur répondrai lors de la séance plénière qui sera consacrée à l'examen du rapport de la Commission, ou lors de la séance de clôture de la Conférence générale dans la déclaration finale que je ferai. Merci, Monsieur le Président.

57. Le Président :

Je remercie le Directeur général ; le délégué de la Tchécoslovaquie a la parole.

58. The delegate of Czechoslovakia:

I thank you Mr. Chairman. Mr. Chairman, the delegation of Czechoslovakia already supported, at the nineteenth session of Unesco's General Conference, the adoption of the draft Declaration on the fundamental principles governing the use of the mass media in strengthening peace and international understanding and combating war propaganda, racialism and apartheid. We did so, being aware of the paramount importance of the elaborating and adopting of an internationally recognized and respected document which would facilitate the use of the mass media in the interest of peace and the elimination of such evils as racialism and apartheid, which we condemn as a crime against humanity.

The advisability and indeed the urgent necessity of adopting such international instruments has been widely recognized within the international community, this being evidenced by the fact that questions pertaining to the role and activities of the mass media have been discussed not only in Unesco but also in various United Nations agencies and other international governmental and non-governmental fora. The role of the mass media has rightly become one of the highly important issues in the non-aligned movement, and I would like to say right away that my delegation fully supports the just and legitimate demands by the developing countries to decolonize the contemporary information empires and to establish a new, more just and more effective international information order.

The core of the issue of the role of the mass media, as we see it, is whether the dissemination of information on the international scale is to be governed by certain basic principles and the strengthening of peace and understanding among nations or whether we shall yield in this field to those who preach and advocate spontaneity of the information processes, which so often serves purposes detrimental to the quest for peace and the legitimate aspirations of newly independent States. For us the answer has been quite clear: we favour the elaboration in the United Nations, and notably in Unesco, of criteria for the content of information, including the editorial content, and of positive ideas and the purposeful and responsible use of the professional activities of the mass media in the interests of peace and friendship amongst nations. We particularly have in mind that part of their professional activities which may - and rather often do - exercise an influence on international relations.

Mr. Chairman, we have been alive to the complexity of the issue and the divergence of views regarding the role of the mass media. Therefore, we view the Declaration as a document which does not aspire to deal with the whole question of the mass media, but rather with some important aspects of their activities, precisely those formulated in the title of the Declaration. We have been alive, also, to the fact that, if there were to be any result of our work on this issue, it naturally would be a compromise, and I hasten to add that this compromise which has been submitted to us by the distinguished Director-General in the revised document 20 C/20, and which we all have endorsed, is evidently the optimum we could have arrived at. Needless to say, the divergency of views is bound

to persist because, as we all know, the cessation in the Declaration of the evidence of its existence does not necessarily mean the evidence of the cessation of its existence.

In conclusion, Mr. Chairman, I would like to join all those who sincerely and wholeheartedly congratulated the distinguished Director-General on this outstanding achievement, which undoubtedly will mark the beginning of Unesco's strengthened role in this important field. I thank you, Sir.

59. Le Président :

Je remercie le délégué de la Tchécoslovaquie. Je vais maintenant suspendre la séance. A la reprise de la séance, la Commission sera présidée par M. Wagner de Reyna et nous entendrons les derniers orateurs qui désirent s'exprimer au sujet du projet de déclaration.

(La séance est suspendue pendant une demi-heure).

60. El Presidente:

Se reanuda la sesión. Tiene la palabra el delegado de Etiopía.

(60) The Chairman (Translation from the Spanish):

The meeting is reopened. I give the floor to the delegate of Ethiopia.

61. The delegate of Ethiopia:

Mr. Chairman, I would like to add the words of my delegation to those of preceding speakers in expressing our satisfaction with the adoption of the Declaration by consensus. The tremendous efforts of the Director-General and the consequent success in bridging the differences that existed between different groups of countries remain a testimony to his skill and diplomacy. Apparent confrontation between groups of countries in the initial stages has now been transformed into a happy outcome for us all. This reveals that Unesco operates on a positive and constructive note, and that its existence remains far from threatened. Unesco's example in reaching consensus on an important Declaration is worthy of emulation by other organizations of the United Nations system.

Mr. Chairman, it is the hope of my delegation that the fundamental principles contained in the Declaration as adopted by consensus will be observed, because it represents the first step towards the development of international rules of behaviour governing the information mass media. In conclusion, Mr. Chairman, I would like to thank and congratulate all those who have laboured so hard to produce such an historic document. Thank you.

62. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Benin.

(62) The Chairman (Translation from the Spanish):

I thank the delegate of Ethiopia and give the floor to the delegate of Benin.

63. Le délégué du Bénin :

Merci, Monsieur le Président. Je voudrais tout d'abord souligner que l'approbation à l'unanimité de ce projet de déclaration est la preuve que même loin de Nairobi, sous le ciel pas toujours clément de Paris, l'entente reste possible à l'Unesco. Peut-on parler, comme certains, de l'esprit de Paris, malgré l'échec ici même, il y a deux ans, de la Conférence Nord-Sud ? En tout cas, il y a un esprit de l'Unesco, un esprit nouveau et c'est l'oeuvre de son Directeur général. Souvenons-nous en le moment venu.

Je signalerai ensuite que le numéro d'aujourd'hui du journal Le Monde porte en première page le titre suivant : "Apaisement à l'Unesco. Un texte de compromis sur l'information est adopté sans débat". Cet apaisement peut-il nous apaiser ? A peine, car ce texte de compromis n'a-t-il pas perdu une bonne partie de son âme ?

Une autre question vient à l'esprit : cette déclaration sera-t-elle suivie d'effet ? Inspirera-t-elle nos actes ? Ne faudrait-il pas qu'elle contienne une clause de contrôle et d'évaluation de son application dans nos Etats ? Le Directeur général ne devrait-il pas être chargé de faire rapport à chaque session de la Conférence générale sur son impact et sur sa mise en oeuvre dans nos pays ? Nous le pensons et nous formulons une suggestion en ce sens.

Comme l'a dit la déléguée de la Syrie avant nous, cette déclaration doit être suivie d'autres ; elle constitue une étape décisive, mais seulement une étape vers le haut, vers le sommet. Comme l'a dit un écrivain français, je crois, il faut suivre sa pente, mais en montant.

L'équilibrage des médias, l'abolition d'un monopole dans le cadre duquel, comme l'écrivait Françoise Giroud dans Le Monde du 9 novembre, les agences de presse AP, UPI, Reuter et AFP sont pratiquement les seules à produire et à diffuser l'information dans la plupart des pays du monde, voilà les étapes suivantes. L'article VI du projet de déclaration est du reste explicite à ce sujet et l'article V montre bien que l'Unesco, et surtout son Directeur général, ont parfaitement pris conscience de l'injustice dont nous sommes victimes ; depuis quatre ans, ils s'efforcent non seulement de nous faire prendre mieux conscience de cette injustice, mais aussi d'y remédier. Dans les prochaines déclarations, nous ferons mieux, nous le promettons. Ne dormons pas sur les lauriers de cette déclaration historique, mais entreprenons dès maintenant l'élaboration des prochaines, sans trop nous faire d'illusions sur l'aide promise au paragraphe 3 de l'article X ou sur les échanges bilatéraux et multilatéraux mentionnés au paragraphe 4 du même article. Comme disent les révolutionnaires africains "A lucha continua". Merci, Monsieur le Président.

64. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Noruega.

(64) **The Chairman** (Translation from the Spanish):

I thank the delegate of Benin. The delegate of Norway has the floor.

65. The delegate of Norway:

Mr. Chairman, the Declaration we have just adopted by consensus is the product of two combined and interlinked commitments undertaken at the nineteenth session of the General Conference in Nairobi: on the one hand, the commitment to make a declaration on the principles of the use of global information resources; and on the other hand, the commitment to abandon controversial issues and confine the text of the Declaration to principles on which broad agreement could be reached. Both these commitments are fulfilled today. We have thus followed up the agreements reached two years ago.

Mr. Chairman, the Declaration contains a reference to the International Convention on the Suppression and Punishment of the Crime of Apartheid, to which Norway has not acceded, but apart from this detail we fully support the text. It is both a tradition and an ideology in Norway that the press should be free to express its opinions whether the latter are palatable to the authorities or not. We hold to all practical effect the unanimous opinion that mass media have an important critical function in society. On the other hand, the elected leaders of the community should be allowed to express their opinions on the function and performance of the media.

We note with satisfaction the emphasis laid in the Declaration on freedom of expression and the need to protect journalists in their work. Final responsibility for what is or is not expressed via the media should rest with journalists and broadcasters, while members of the public in general should also have the right to communicate.

An important aspect of the Declaration is the stress that it lays on the need for a new, more just and more effective world information and communication order. There exist deep inequalities in connection with the global transmission of news, and we hope that the road is now paved for specific initiatives and measures designed to develop news media structures, especially in the Third World. It should be the task of the organizations of the United Nations system to assist in this process, and industrialized countries should be expected to render their contribution to it. In particular, we believe that Unesco, through its technical, educational and normative efforts, has an important role to play in helping the developing countries to overcome such inequalities in communication. Thank you, Mr. Chairman.

66. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Guinea.

(66) **The Chairman** (Translation from the Spanish):

I thank the delegate of Norway. The delegate of Guinea has the floor.

67. Le délégué de la Guinée :

Merci, Monsieur le Président. Pour ma délégation, la date du 22 novembre a désormais plus d'une signification. En effet, Monsieur le Président, si cette date marque l'anniversaire de la victoire du peuple de Guinée sur l'agression impérialiste de 1970 qui a été condamnée par la communauté internationale, elle prend aujourd'hui pour nous tous une signification historique nouvelle, de par le consensus qui vient de se faire autour de cette déclaration qui marque un nouveau jalon dans la vie de l'Unesco.

Monsieur le Président, un dicton africain nous dit que pour faire un bon feu, il faut faire brûler tous les bois qui sont dans le foyer, car si l'on retire de l'âtre les bois qui font de la fumée, on risque d'éteindre tout à fait le feu. Monsieur le Président, en présentant le texte publié sous la cote 20 C/20 Rev., le Directeur général a ranimé le foyer autour duquel tous les membres de l'Unesco pourront se réchauffer et attiser la compréhension mutuelle et la paix. C'est pourquoi, Monsieur le Président, vous permettrez à ma délégation de féliciter les promoteurs de ce consensus général, et surtout de rendre un vibrant hommage au Directeur général qui, grâce à son dynamisme, à sa grande et vive intelligence, à ses immenses capacités intellectuelles reconnues et admirées de tous, a conféré à notre Organisation un plus grand rayonnement dans le monde et une plus grande efficacité pour la défense des causes justes.

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Monsieur le Président, en approuvant le présent projet de déclaration, ma délégation estime devoir vous soumettre certaines considérations au sujet de la nécessité d'un nouvel ordre mondial de l'information qui est généralement ressentie, même si l'on continue de penser qu'il est possible d'améliorer et de réformer la situation sans la bouleverser. En effet, Monsieur le Président, la technique a ouvert à l'information des possibilités considérables ; les capacités de diffusion qui sont les siennes se sont multipliées à l'infini et par voie de conséquence, son pouvoir de mobilisation de la pensée, ses capacités d'action sur la conscience de l'homme, ses facultés d'intervention se sont extraordinairement accrus. Mais cet accroissement de l'intervention de l'information n'a pas toujours été mis au service de la paix et de la compréhension internationale. En effet, Monsieur le Président, il est facile de constater que l'augmentation de la puissance des moyens de propagation de l'information n'a pas toujours des objectifs progressistes, ni des fins humanitaires. Il suffit pour s'en convaincre de constater la diffusion des théories condamnées à la suite de la Deuxième Guerre mondiale, et l'impudence de l'apartheid, dans sa justification à grande échelle du génocide perpétré contre toute une partie de la population du continent africain. Monsieur le Président, je ne donnerai pas ici d'exemples de la masse d'informations abrutissantes dont on inonde les pays en développement, qui subissent ainsi une véritable agression culturelle parce qu'ils n'ont pas suffisamment de moyens de rétablir l'équilibre en faisant connaître et apprécier leurs propres valeurs culturelles.

Monsieur le Président, dans ces conditions, ma délégation ne peut qu'appuyer l'action de l'Unesco visant non seulement à réduire les inégalités existant en matière d'information entre les pays développés et les pays en développement, mais aussi à briser les obstacles s'opposant à la circulation des matériels culturels et de l'information. En ce qui concerne ce dernier objectif, nous devons préciser que l'un des obstacles fondamentaux s'opposant à cette circulation demeure le fait que les moyens d'information et de diffusion sont devenus une source de profits et un instrument d'exploitation ; cette tendance a d'ailleurs fortement marqué le contenu didactique de l'information. Son rôle d'élévation de la conscience des peuples, ses pouvoirs éducatifs ont été subordonnés à l'intérêt commercial, ce qui conduit de façon générale à l'annihilation quasi systématique des ressorts intellectuels et moraux de l'homme social, qu'il faut donc libérer de ce ghetto.

C'est pourquoi, Monsieur le Président, ma délégation estime que la déclaration devra aller au-delà des objectifs qui sont actuellement les siens ; elle devra véritablement représenter un acte de libération qui situe la communauté internationale dans toute sa perspective de lutte pour la paix réelle.

En garantissant, Monsieur le Président, l'exercice de la liberté d'opinion et un accès du public à l'information permettant à chacun de s'assurer de l'exactitude des faits, en respectant les droits et la dignité de toutes les nations, de tous les peuples et individus, en participant à l'éducation des jeunes dans un esprit de paix, de justice, de liberté, de respect, de compréhension et de promotion des droits des peuples, les moyens d'information, nous en sommes sûrs, favoriseront l'échange et la confrontation des idées et, partant, l'instauration au sein de la communauté internationale d'un climat de coopération, de compréhension et d'unité d'action, facteur de confiance et de paix.

Monsieur le Président, ma délégation voudrait encore une fois de plus réaffirmer solennellement son soutien total au Directeur général et à ses collaborateurs pour la poursuite et le renforcement de leur action, car nous sommes d'ores et déjà convaincus que cette action débouchera sur une plus grande compréhension entre les peuples, permettant l'instauration du nouvel ordre international de l'information. Désormais, Monsieur le Président, en célébrant l'anniversaire de sa victoire sur l'impérialisme, le peuple de Guinée se souviendra que le 22 novembre est aussi une date historique dans la vie de l'Unesco. Merci, Monsieur le Président.

68. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Nigeria.

(68) The Chairman (Translation from the Spanish):

I thank the delegate of Guinea, and give the floor to the delegate of Nigeria.

69. The delegate of Nigeria:

The delegation of Nigeria is very pleased indeed to participate in this exciting process of achieving acceptance and legitimacy for this very important Declaration. The experience of the past couple of weeks has reinforced our confidence in the ability of men of reason and goodwill to find acceptable and even dignified solutions to difficult and sensitive questions, if they are willing to commit themselves to the process of dialogue in a spirit of equality and mutual respect. It is not easy, but it can be done and has been done: it provides an important lesson to us all.

Mr. Chairman, we, in Africa, realize only too well the frustrations and the spiritual violence which can explode when human beings are prevented from speaking to one another as equals. We know that when the lines of human communication are entangled in a web of partial truths, accumulated prejudices and negative images, everyone is the loser and nobody can truly be the winner. For this reason, Mr. Chairman, we, in Nigeria, are spending a lot of our human and economic resources in building up a national capacity for involving our own people in the realities of their nation and of the world in which we live, so that we can participate as equals in the international dialogue in which we are all involved.

We are devoting a good deal of thought and energy to ensuring that we can provide an accurate and comprehensive record of our own activities and aspirations for the information of all people of goodwill who wish to know our view of the world. But other countries and other institutions will have to be willing both to listen to what we wish to say and to use the accurate information and true knowledge of us that we provide to them.

We recognize that the mass media are now the most potent means of cross-cultural communication, but we see that they are in danger of providing smoke screens through which we may see ourselves and our neighbours fleetingly and imperfectly as fragmented images. The cause of peace and progress cannot be fostered unless we resolve together to let the warm sunshine of reason and compassion pierce the fog of ignorance, suspicion, racism and apartheid which threatens humanity.

In accepting by acclamation with other members of Unesco the Declaration on the Mass Media, we, in Nigeria, are convinced that it is possible for more equal, more just and more creative relationships to emerge among peoples and among the media institutions and systems of the world. We see the need for change in the present understanding of the meaning of media ownership and control. It is clear that we and other so-called developing countries should continue to expand our capacity for self-expression and self-projection on the international scene. We shall continue to insist on participating in the international dissemination of information, but as equals, and will engage in action to bring about the conditions that guarantee and sustain our equality. If the Member States of Unesco follow up the agreement reached on the Declaration with concrete activity in the spirit of co-operation and respect for the rights and dignity of others, it should be possible for all of us to become winners rather than losers.

We are deeply concerned that journalists and other agents of the mass media should show a sense of responsibility at all times, but especially when they attempt to report on other cultures. We wonder if those who so strenuously object to the mention of the responsibility of journalists would advocate irresponsibility. While we intend to use our resources and energies to support wider and freer distribution of information and ideas, we shall continue to insist that licence and irresponsibility are not promoted in the name of absolute freedom.

Mr. Chairman, all that remains for me now is to join all our colleagues in saluting the great experience which we have shared and to congratulate the Director-General and his colleagues of the Secretariat for assisting and promoting this laudable objective. Thank you, Mr. Chairman.

70. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Finlandia.

(70) The Chairman (Translation from the Spanish):

I thank the delegate of Nigeria, and give the floor to the delegate of Finland.

71. The delegate of Finland:

Thank you, Mr. Chairman. My delegation wishes to express its support for the general aims of the Declaration on the Mass Media we have adopted. We also have a positive attitude towards the aspirations reflected in the Declaration in relation to the establishment of a new international information order which would promote more equal access and participation by peoples and nations in international communications. We want to stress that action to achieve this new order should not be limited to a programme of activities for the correction of imbalances of a technical nature. It should also, and above all, be a programme concerning basic principles and aimed at creating such mass media structures and policies as would ensure the provision to the public of accurate information about objective realities, both national and international. We believe that this method of development of international communications, together with freedom of expression, will contribute to general understanding among nations and the strengthening of international co-operation and peace. We consider the consensus on the Declaration as a step forward in the international development of communications and information, and my delegation believes that increased attention will be paid to the aspirations of the developing countries in the future activities of Unesco.

At the same time, I have to say that the text of the Declaration is not sufficiently clear in all its details, nor are all of the stated purposes in strict conformity with our views. There are in the Declaration references to certain Conventions on which Finland has made reservations.

The preparation of this Declaration has not been an easy task. My delegation expresses its appreciation for the efforts made by the Director-General and Member States to achieve through a careful negotiation process a consensus on this matter. Thank you, Mr. Chairman.

72. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Mauritania.

(72) The Chairman (Translation from the Spanish):

I thank the delegate of Finland, and give the floor to the delegate of Mauritania.

73. Le délégué de la Mauritanie :

Je vous remercie, Monsieur le Président. Je serai très bref. Monsieur le Président, le résultat juste et heureux auquel vous venez de conduire avec une adresse remarquable notre Commission, ce résultat, dis-je, est la preuve que la concertation et la patience sont des moyens efficaces pour parvenir au consensus que nous nous imposons comme règle afin de donner une grande crédibilité à nos décisions. Nous estimons pour notre part qu'en l'absence de consensus, une décision quelconque, et de surcroît une décision qui intéresse vivement, pour ne pas dire passionnément, toute la communauté internationale, ne saurait recevoir une large application.

Aussi tiens-je à m'associer à tous les orateurs qui ont exprimé leur satisfaction à l'occasion de cette victoire historique que constitue l'approbation à l'unanimité d'une déclaration sur l'information. Ma délégation, Monsieur le Président, remercie sincèrement tous ceux qui ont apporté leur concours pour nous permettre d'arriver à ce résultat digne d'éloge. Nous tenons à féliciter en particulier le Directeur général pour son courage - que nous connaissons - et pour le rôle déterminant et précieux qu'il a joué. En effet, comment ne pas souligner que c'est avant tout grâce à ses inlassables efforts que nous avons préservé le consensus et par là même l'avenir de notre déclaration. Notre satisfaction est d'autant plus grande que nous redoutions que la déclaration ne soit adoptée à la suite d'un affrontement entre un vainqueur et un vaincu qui n'accepte pas de bon coeur nos thèses, même majoritaires.

Monsieur le Président, j'exprime l'espoir que ce succès incontestable de l'action menée pour améliorer la compréhension entre les Etats membres de l'Unesco, ce succès considérable de la vingtième session de la Conférence générale mettra fin aux inquiétudes et aux réactions négatives que nous avons lues dans une partie de la presse. Nous espérons que cette déclaration qui est la charte et l'outil qui manquaient, à notre avis, pour exploiter au maximum toutes les possibilités de développement de la communication, non seulement permettra de corriger rapidement les inégalités actuelles et de promouvoir une circulation régionale équilibrée de l'information, mais aussi et surtout servira la vérité et le progrès, c'est-à-dire la compréhension entre les Etats et le développement. Je vous remercie, Monsieur le Président.

74. El Presidente:

Muchas gracias, señor delegado. Tiene la palabra el delegado de Nepal.

(74) The Chairman (Translation from the Spanish):

I thank the delegate of Mauritania, and give the floor to the delegate of Nepal.

75. The delegate of Nepal:

Thank you, Mr. Chairman. I understand I am the last speaker on the list this evening and so I propose not to be very long. Mr. Chairman, the Nepalese delegation would very much like to join the other distinguished delegations, who have preceded me, in extending sincere congratulations to the Director-General - including his entire Secretariat - on the successful conclusion of the draft Declaration on fundamental principles concerning the contribution of the mass media, as contained in 20 C/20 Rev., and also to express our feeling of profound satisfaction over the achievement of the consensus on this very delicate issue.

Our delegation is particularly happy at the outcome, in so far as we have been actively engaged, with the Group of 77, the non-aligned countries and the Asian Member States, in producing this peace formula. Mr. Chairman, while Nepal is not really competing for the honour of being called its father or mother, the distinguished delegates here might allow us to be, at least, the midwife or nurse who saw to it that the baby was not stillborn. It is now the duty of all the Member States to feed and nurture it so that it may grow into a healthy, bonny child.

Nepal has worked tirelessly to reach a consensus that is acceptable to the parties in dispute. I say parties in dispute, Mr. Chairman, for the simple reason that what has been effected is not a lasting solution but a temporary compromise, as the very qualifying title of the draft text proclaims. That is to say, what has been achieved is a precarious truth and in no way proves that the dispute has ended, that hearts have changed or that interests have suddenly begun to converge. Rather, it only suggests, as is very clearly explained by the Director-General, that - quite in keeping with the spirit of Unesco - good sense and prudence have at long last prevailed and that we have decided to call a halt to our policies of confrontation and of acrimonious debate. For, Mr. Chairman, Nepal firmly believes not in the battle cries raised by the mass media in this part of the world but in dialogue, in a spirit of give and take, that tolerates different tastes and admits and accommodates varying aspirations and needs. May I recall here, Mr. Chairman, how the Director-General, in the morning session, called upon all of us, the Member States, to give him our hands of friendship - and friendship, Mr. Chairman, in my opinion, presupposes equality. Where there is no equality, there cannot be friendship, and where there is no friendship there cannot be peace.

May I say, Mr. Chairman, how rightly Unesco symbolizes this common desire for friendship on the part of all the Member States, rich and poor, big and small alike. The Director-General stands for this total truth - not truth as perceived by certain Member States of the Organization, but truth that knows no colour prejudices, that admits of no racialist discrimination. It is the perception and vindication of this truth, not only contained in this particular historic moment of consensus but also reflected in our act of faith in Unesco's ideals, that we must continue to uphold. Mr. Chairman,

notwithstanding the frenzy of certain mass media - and I submit, Mr. Chairman, that even the most affluent organs of the mass media cannot be above board: they can be bought, they can be bribed, they can distort news - they may write the way they perceive the truth to be, but the total truth is something bigger and more complicated, and no one organ of the news media, or one individual, or one Member State, can have an exclusive claim to the truth.

Therefore, Mr. Chairman, let us realize that all of us have promises to fulfil, promises of mutual understanding and co-operation. This may be only a beginning, but it is an important beginning - although we have a long way to go to realize the principles of universal brotherhood. I would say, therefore, Mr. Chairman, that so long as Unesco is there to guide us, represent our collective wisdom and consent and provide a forum for our deliberations, there is hope. Thank you, Mr. Chairman, for your kind attention.

76. El Presidente:

Muchas gracias, señor delegado. Doy la palabra al observador de la Organización Internacional de Periodistas.

(76) The Chairman (Translation from the Spanish):

I thank the delegate of Nepal, and give the floor to the observer for the International Organization of Journalists.

77. The observer for the International Organization of Journalists:

Mr. Chairman, distinguished delegates: I speak as the representative of one hundred and fifty thousand journalists from 110 countries in all parts of the world, representing various socio-economic conditions and political outlooks within an overall progressive and democratic orientation. These mass media professionals wish me to express their delight at the fact that on this historic occasion Unesco has reached a milestone, small but clearly visible, along the road towards a more just and peaceful world.

The International Organization of Journalists has always supported Unesco in its endeavours to fulfil its primary mandate, which is the promotion of international peace and security and the full realization of human rights, not only through education, science and culture, but also through the means of mass communication.

Professional journalists, namely those who are employed by the media as a creative labour force, who are usually organized in international unions of journalists and who thus represent the interests of wide strata of the people rather than the typically commercial interests of the media owners, have seldom questioned the right of the United Nations, Unesco and their Member States to adopt resolutions and make stipulations within the general framework of international law. We are certainly not advocating State control of journalism; on the contrary, we are very much concerned about such control, particularly in many Latin American countries and in present-day Southern Africa. We do understand, however, that the mass media and journalists alike do not operate in a vacuum, but are always bound to a framework of national tradition and legislation, and what - is more - to a framework of international law. In this respect, it seems to us that those distinguished delegates who have been so worried about the State in its relation to the mass media are less faithful to international law and order, and indeed to the United Nations system. Might it not be a good idea to organize, for the benefit of all of us, a course in the fundamentals of international law?

Indeed, the Declaration adopted here might serve as a useful piece of learning material in this connection, and as a pedagogical vehicle to remind us, media professionals, politicians and members of the general public, that freedom of information, which we all naturally very much respect, is already today, and without any new media resolutions in Unesco or elsewhere, conditioned by several considerations whereby its exercise carries with it special duties and responsibilities, to use the words of the International Covenant on Civil and Political Rights. Already the Constitution of Unesco, as recalled in the first two paragraphs of the present Declaration, carefully sets the well-known phrase of "free flow" within a framework where the supreme considerations are peace and security. Responsible journalists welcome this objective, and are afraid neither to place themselves in the service of profit-making enterprises, nor to devote themselves to the search for mutual understanding and a truer and more perfect knowledge of each other's lives. Indeed, it would be irresponsible and unethical to forget about these perspectives of Unesco's Constitution in the present context of the arms race and the constant risk of nuclear war.

In fact, the Declaration appears to be quite mild and weak, and in any case less definite than the Constitution of Unesco, in such crucial matters for mankind as the question of war and peace. Obviously, the diluted text reflects the political compromises made in order to achieve consensus. Professional journalists understand this, and, sensitive to conceptual and linguistic obscurity, do their best to indicate a proper interpretation even of such formulations as "journalists and other agents of the mass media". At the same time, however, we wish to point out that professionals need more than you have just adopted. We need a clear and honest approach, both intellectual and moral, to our profession and to the crucial questions of our times. If it has been difficult for you as politicians to agree upon a moral and ethical emphasis to complement liberty, you may be sure that this will constitute no obstacle for us in the profession. We are people with moral and ethical standards.

The fact that journalists tend to think in uncompromised terms also helps us not to be misled by contemporary tactical cross-currents in global communication policies, in which a tendency to provide so-called "help" to poor countries and to introduce action programmes as a means of preventing analyses and changes of a principal and structural nature is becoming more and more noticeable. Development aid from former colonial powers is naturally reasonable compensation for the wealth accumulated by them over the centuries at the expense of what are today developing countries; but at the same time we - at least we professional journalists - shall not sell our freedom to rethink and to modify structures so as to ensure not only a more effective world order, but an international order which supports peace and promotes justice and which helps to materialize human rights.

Mr. Chairman, permit me to conclude by repeating what I said two years ago in Nairobi. The International Organization of Journalists represents those forces that stand firmly behind the new international information order and the objective of a freer and more balanced flow of information within and between countries. The world's largest journalists' organization is willing to continue its co-operation with Unesco in its ever more important tasks in the field of mass communication. The new and more universal approach taken by Unesco means relinquishing the distinctly Western character that the Organization took in the past, to use an expression of the Director-General. We are entirely in favour of such a reorientation, and we promise our active support against attacks and attempts to water it down in the manner illustrated by this Declaration. Thank you, Mr. Chairman.

Now, Mr. Chairman, I beg your indulgence to make another statement, which I have been authorized to deliver on this occasion on behalf of another non-governmental organization.

78. El Presidente:

Queda autorizado para hacerlo, siempre que sea breve.

(78) The Chairman (Translation from the Spanish):

That will be in order provided the statement is brief.

79. The observer for the International Organization of Journalists speaking on behalf of the Latin American Federation of Journalists:

Mr. Chairman, I have been authorized to make a statement on behalf of the Latin American Federation of Journalists (FLAP), which unfortunately was prevented from attending this General Conference, unlike some other and less-representative media bodies. This is their statement: The Latin American Federation of Journalists hereby confirms its firm and unswerving support for action towards the creation of a new international information order with a view to achieving a more fair and balanced circulation of news. Since its creation at the Congress in 1976 in Mexico, the Federation has publicly proclaimed itself in favour of this policy and in consequence organized a seminar in Caracas on the flow of information in Latin America and convened a meeting of journalists from the Andean area in order to study the flow of news in that region. It also held a seminar in Havana with the same purpose. During the last month of October, the Governing Board of the Federation approved a declaration supporting Unesco's purpose towards defining a set of general principles about the role and responsibility of the press concerning the new international information order and also regarding the professional practice of journalism.

Both the President and Secretary-General of the Federation were formally consulted about the draft document to be considered by the present session of the General Conference, and both gave their views on it. FLAP wishes to reaffirm its support for this draft document and Unesco's right to provide this formulation, which is a right that has been persistently denied by some international organizations of newspaper owners and businessmen, such as IAPA, and some governments, such as the Government of the United States of America. We Latin American journalists have continued to request the right to participate and to give our opinions on problems that institutions such as Unesco are studying related to journalism and mass communication in general. We are thus restating our opinion that such matters cannot be adequately examined without the presence of organized professional journalists, which is the case of FLAP in Latin America. The Federation of Latin American Journalists as an organization is definitely in favour of the creation of a new international information order, which should gradually end the domination of the transnationals in the field of information and news flow, and which should also establish a more balanced flow of information conducive to the establishment of a new international economic order. The Federation expresses its best wishes for the success of the twentieth session of the General Conference of Unesco and especially supports the draft Declaration. The views of the Federation on this draft were forwarded to the Director-General, and their basic agreement with it was given with the addition of some clarifications which include the opinion of Latin American professional journalists and their genuinely representative organizations. These opinions also coincide with those of international organizations such as the International Organization of Journalists and some others. For free journalism in a free country, Eleazar Díaz Vanel, President, Genaro Carnero Seca, Secretary-General. Thank you, Mr. Chairman.

80. El Presidente:

Muchas gracias. Tiene la palabra el observador de la Federación Internacional de Periodistas.

(80) The Chairman (Translation from the Spanish):

Thank you. I give the floor to the observer for the International Federation of Journalists.

81. L'observateur de la Fédération internationale des journalistes :

Monsieur le Président, lors de son dernier congrès mondial, en septembre dernier, la Fédération internationale des journalistes, qui représente 88.000 journalistes libres dans le monde entier a salué l'esprit général du projet de déclaration comme apportant une contribution importante à l'amélioration de la compréhension internationale de la fonction et des problèmes des mass media. Simultanément, il nous paraissait indispensable de rejeter certaines dispositions du projet initial qui pouvaient conduire à une intervention des Etats dans la déontologie des journalistes ou à des contraintes exercées sur leur statut professionnel. Depuis lors, nous avons constaté que le nouveau texte présenté par le Directeur général, à qui nous tenons à rendre hommage, texte qui a été approuvé par consensus, comporte d'appréciables améliorations. Nous évoquerons, par exemple, la mention plus fréquente aux droits de l'homme, bien que, je dois le signaler, dans le texte français, au paragraphe 1 du préambule, on semble avoir oublié de les citer dans la référence à l'Acte constitutif de l'Unesco.

Bien sûr, ce texte ne répond pas intégralement à tous nos souhaits. Nous nous limiterons à deux exemples. Nous aurions préféré que la discrimination politique fût, elle aussi, mentionnée expressément parmi toutes les formes d'oppression auxquelles se réfère le paragraphe 3 de l'article II. Nous éprouvons aussi une certaine inquiétude au sujet de l'utilisation qui pourrait être faite de l'obligation pour les moyens d'information de respecter la dignité des nations. Autant les nations sont en elles-mêmes toutes respectables, autant nous tenons à préserver le droit de critique à l'encontre des régimes politiques qui parlent en leur nom. Ces régimes, eux, peuvent parfois se comporter d'une manière qui n'appelle pas le respect. Il existe des situations dans lesquelles les journalistes ont le droit et même le devoir de se laisser guider par leur sens critique plutôt que par la déférence.

Cela dit, nous invitons tous les Etats à nous faciliter la tâche, à nous professionnels de l'information, c'est-à-dire à préserver et à favoriser une information libre, information qui, à nos yeux, ne peut être que pluraliste. En accomplissant leur mission selon leur conscience professionnelle, dans la plénitude des responsabilités qui sont les leurs, les journalistes sauront servir, je le crois, les intentions majeures de la déclaration, conformément aux règles d'une déontologie élaborée par eux-mêmes et auxquelles ils souscrivent librement. Je vous remercie.

82. El Presidente:

Muchas gracias. Los observadores respectivos del Comité Mundial para la Libertad de Prensa y del Instituto Internacional de Prensa que habían pedido la palabra, no están presentes.

[Señores y señoras, hemos terminado con el punto 22 relativo a la Declaración sobre los medios de comunicación. Examinaremos ahora el documento 20 C/DR.311 que ha sido presentado por Túnez, Sri Lanka y Zambia, en nombre de los países no alineados y del Grupo de los 77. Tiene la palabra el delegado de Túnez.]

> (82) The Chairman (Translation from the Spanish):
>
> Thank you. The observers for the World Press Freedom Committee and the International Press Institute who had asked to speak are not present.
>
> [Ladies and gentlemen, we have completed item 22 concerning the declaration on communication media. We shall now proceed to examine document 20 C/DR.311, which has been submitted by Tunisia, Sri Lanka and Zambia on behalf of the non-aligned countries and the Group of 77. The delegate of Tunisia has the floor.]

83. Le délégué de la Tunisie :

Merci, Monsieur le Président. Je n'ai pas eu le plaisir de joindre ma voix à celle des autres membres de la Commission et c'est pourquoi je me permettrai, à l'occasion de l'examen d'un autre point de l'ordre du jour, de dire que nous avons ressenti ce matin la même émotion que le Directeur général, après l'approbation par acclamation du texte de la déclaration. C'était un moment particulièrement émouvant, qui marquera sans doute l'histoire de notre Organisation. Bien sûr, après les pertinentes interventions d'un grand nombre de délégués, il ne reste rien à ajouter si l'on ne veut pas répéter ce qui a été dit. Je voudrais néanmoins profiter de l'occasion qui m'est offerte pour assurer de notre reconnaissance toux ceux qui ont contribué à l'élaboration de ce document et facilité le rapprochement des positions les plus divergentes. Je pense en particulier au Directeur général, à ses collaborateurs et à tous ceux qui ont apporté leur concours, de près ou de loin, à l'élaboration de ce texte. Je n'oublierai pas de remercier surtout ceux qui ont bien voulu me mandater pour parler en leur nom, c'est-à-dire les pays non alignés et le Groupe des 77, et notamment les membres du comité désigné par ces deux groupes pour suivre l'évolution des problèmes de la communication au cours de la présente session de la Conférence générale. Je voudrais saluer à ce propos leur abnégation, leur courage, leur patience et leur sagesse. Mes remerciements vont également à tous les ministres, ambassadeurs et délégués des pays développés, tant de l'Est que de l'Ouest, ainsi que du pays hôte, pour leurs initiatives en vue de rapprocher les points de vue et d'aider à réaliser ce consensus qui nous paraissait au départ un mirage.

Maintenant que nous en avons terminé avec la déclaration, je m'en voudrais toutefois, Monsieur le Président, de garder le silence sur une difficulté qui a subsisté dans les rangs des pays non alignés et du Groupe des 77 à propos d'un aspect fondamental qui n'a pas, en fin de compte, été pris en considération dans le texte définitif. Vous m'avez sans doute compris : il s'agit de l'affirmation du principe de l'instauration d'un nouvel ordre mondial de l'information. Les pays en développement qui ont oeuvré dès le début en faveur de la réalisation d'un consensus ont estimé de leur devoir de consolider ce consensus qui leur semblait fragile, fût-ce au prix de leur renonciation à faire figurer dans le texte cette notion qu'ils jugent fondamentale pour la satisfaction de leurs aspirations. Aussi notre groupe a-t-il décidé de proposer à notre honorable assemblée, à la clôture de son débat sur la communication et après ces longues et fructueuses discussions consacrées aux divers aspects de celle-ci, un projet de résolution indépendant de la déclaration, ayant trait aux éléments fondamentaux dont dépendent les systèmes de communication et invitant notre Conférence à approuver le principe de l'instauration d'un nouvel ordre mondial, juste et équilibré, de l'information et de la communication. /L'orateur présente alors à la Commission le projet de résolution 20 C/DR.31/.

PART THREE

INTERNATIONAL FUNCTION OF THE DECLARATION IN THE LIGHT OF RELATED PRINCIPLES ENUNCIATED BY THE UNITED NATIONS AND UNESCO [1]

1/ This chapter is an adaptation of a working paper prepared for the Unesco Secretariate (document COM-75/CON 201/4 Paris, December 3, 1975). Parts of the material contained in this chapter was published in "National Sovereignty and International Communication" edited by Herbert Schiller and Kaarle Nordenstreng and published by Ablex Corporation of Norwood, New Jersey, USA (1979). These parts were written by Hilding Eek.

Now that the mass media Declaration has been adopted, questions may be asked as to its international function. In order to properly understand the legal status of a Declaration adopted by the United Nations or its Specialised Agencies, it is necessary to discuss the relative status of "resolutions", "conventions" and "treaties" and in the light of it all place "declarations" at their appropriate position. In this connection, it should be pointed out that decisions by the United Nations and by Unesco use different titles, indicating different status of authority and purpose.

Although all decisions are based on, or explain, a policy, it may be correct to say that the purpose of a mere resolution is mainly to state a policy, which, further on in the work of the organization, may develop into an international instrument of higher dignity. An example is given by the Final Act of the 1948 Conference on Freedom of Information in Geneva, in which a set of resolutions was adopted as a basis of work to be carried on, thereafter, by organs of the United Nations and its Specialized Agencies. A resolution is not, under international law, binding upon a State whose delegation has voted for it. It does not contain clauses that are compulsory with respect to further action by such a State. But a resolution, if adopted by a great majority of States, will carry considerable weight. Moreover, its convincing force and possibility of leading to further action are enhanced when it is followed by further resolutions along the same lines.

A convention, the text of which has been adopted by, for instance, the General Assembly of the United Nations or the General Conference of Unesco, or an intergovernmental conference, is meant to be binding after ratification or accession by States as soon as it, according to its own provisions, has entered into force. The rule on international law, relating to conventions or other international instruments meant to be binding, have developed through what, in Article 38 of the Statute of International Court of Justice, is called "international custom, as evidence of general practice accepted by law" and were codified in the 1969 Vienna Convention on the Law of Treaties.

When questions are raised concerning the legal function of a "declaration" of the General Assembly of the United Nations or the General Conference or other Specialized Agencies, the international lawyer will generally provide a negative answer: a declaration is not a treaty or a convention binding under international law upon States, which have taken part in the adoption of the instrument or, at a later stage, have adhered to it.

Much depends however on the circumstances at the time of the adoption and, of course, on its text. The term "declaration" is often chosen for statements of principles, close to those adopted by a convention, though not regulated by the law of treaties. The authority of a declaration as more important than a resolution, though not a convention or treaty, had been discussed in recent years both within organs of the United Nations and in literature in the field of international law. It seems to be generally understood today that a declaration carries more weight than a resolution; it means more than a simple statement of policy. Therefore, the term "declaration" is chosen for statements of principles, close to those adopted by a convention, though not regulated by the law of treaties.

At the request in 1962 of the United Nations Commission on Human Rights, the Legal Office of the United Nations Secretariat presented a Memorandum to the Commission in which the Legal Office explained that in United Nations practice a declaration is a formal and solemn instrument, suitable for rare occasions when principles of great and lasting importance are being enunciated. The Memorandum also stated that a declaration is adopted by resolution by a United Nations organization. As such, it could not be binding upon Member States in the sense that a treaty is binding upon the parties to it purely by the device of terming it a declaration rather than a recommendation. However, in view of the greater solemnity and significance of a "declaration" it might be considered to impart, on the part of the organization adopting it, a strong expectation that members of the international community would abide by it. "Consequently", the statement said, "in so far as the expectation is gradually justified by State practice, a declaration may by custom become recognized as laying down rules binding upon the States".

In the case of the 1978 Declaration on mass media States do not as such foresee a series of legal obligations. But they agree on the important role of mass media for the purposes mentioned in the title of the Declaration. The articles of the Declaration do not address themselves to States, nor do they lay down legal obligations on the mass media under international law or, indirectly, under the law of Member States of Unesco. The articles in the Declaration explain the role and functions of such media in the international community. In other words, the Declaration is not binding upon States under international law as a treaty. Its articles relate to the activities of mass media, and are not even binding upon the media. It should be stated, however, that the principles relating to the performance of mass media - as laid down in the Declaration and in view of the fact that it was adopted by acclamation in the General Conference of Unesco - must be looked upon as supported by all Member States of the Organization. The Declaration can thus be said to have created a generally accepted policy. In fact, the text comes, in its style, close to a Convention.

While the first ten articles of the Declaration lay down principles relating to the work and performance by the media, the last article in the Declaration (article XI) - and only that article - addresses itself to States. It is, the article says, necessary "for this declaration to be fully effective" to "guarantee the existence of favourable conditions for the operation of the mass media". The article refers, thereafter, to the provisions of the Universal Declaration of Human Rights and of the 1966 Covenant on Civil and Political Rights. This can be described as a reference to legal obligations of States to provide a political and social milieu favourable for the implementation by mass media of moral and/or professional obligations specified in the foregoing articles I-X of the Declaration.

As mentioned in chapter one, discussions in this field have been marked by controversies from the very outset. The main difficulties seemingly relate to the fact that freedom of opinion and expression as a human right is supposed to be protected against interference by national public authorities. Therefore, the work toward the adoption of a convention on freedom of information has aimed at the acceptance by States of certain limitations of their legislative powers in the field. On the other hand, the purposes of the United Nations, as defined in Article 1 of the Charter, are not only to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms, but also, as stated in the first paragraph of Article 1, to maintain international peace and security. To this end, organizations in the United Nations system have appealed to Member States to take action for the promotion of international understanding by various means, including those that counteract propaganda on behalf of war and hatred among nations. In addition, full freedom of information is not deemed acceptable if used against the efforts to protect fundamental human rights by combating activities such as racism and apartheid.

In tracing the history of the initiatives of the United Nations and Unesco, this chapter deals with freedom of information on the basis of different aspects of, or approaches to, the problems involved that have marked the instruments adopted or drafted in the field by organizations of the United Nations and Unesco. These different aspects or approaches may, for the purpose of the organization of this document, be distinguished as follows:

1. Action to proclaim and protect freedom of opinion and expression as a fundamental human right.

2. Efforts to arrive at internationally accepted legal standards for the definition of freedom of information and to provide for the protection of that freedom by national legislation, particularly by a Convention on Freedom of Information.

3. Action aiming at the improvement of the status of the mass media and news personnel engaged in seeking and receiving information abroad or in imparting information across national frontiers.

4. Action aiming at the improvement of the performance of the mass media and their personnel, with emphasis particularly on the role of the mass media in strengthening peace and international understanding and in combating war propaganda, racism and apartheid.

Connected with all these aspects are, of course, the work of the United Nations and of Unesco that aims at facilitating the free flow of information and at removing obstacles thereto, both political and economic.

This chapter is arranged on the basis of the organization within which a certain action was taken and mentions the instruments in a chronological order.

It should be noted, however, that within the United Nations system, questions concerning freedom of information have been, at the outset, raised in the General Assembly, and its committees, the Economic and Social Council, the Council's Commission on Human Rights and its (now defunct) Sub-Commission on Freedom of Information and Press. But in due course the main venue of the debate shifted to the General Conference of Unesco. As will be evident from the following discussion, the decades of the forties (the second half) and fifties, saw some major resolutions, declarations, conventions, etc., emerging from the floor of the United Nations in the area of freedom of information and its world wide flow. The United Nations Charter, the declaration of Human Rights and the draft convention on Freedom of Information, are among the most important of the numerous other instruments relevant to information, that saw the light of the day during this period.

But from the early sixties, Unesco's approach to the problem of world-wide flow of information began to acquire a more multi-disciplinary character, resulting particularly from the experience and perception which was brought to its fold by the newly emergent countries of Africa, Asia and Latin America. It was with the memory of colonialism in the background that Member States prevailed upon Unesco to pay more particular attention to the role of the information media in the social, economic and cultural development of the developing countries. Three regional meetings of experts for Latin America (Santiago de Chile, 1960), Asia (Bangkok, 1961) and Africa (Paris, 1962), organised to discuss these issues, emphasized the socio-economic and political impact of information and noted the severe inadequacy of information flow within these regions and the dependency that such an absence led to.

The role of Unesco in the field of information came under sharper focus following the symposium on mass communication and international understanding organised by the Yugoslav National Commission (Ljubljana, 1968) and the meeting of experts on Mass Communication and Society (Montreal, 1969). The Montreal meeting expressed the opinion which later became widely known, that the "free flow of information" was in fact a one-way flow and also recognized that there is a necessity to protect the cultural integrity of nations against corrosive influence from the outside. This recognition led to the growth of a vital area of Unesco's programme, namely the relation between culture and communication and the latter's impact on cultural identity of nations.

However, it was only in the sixteenth General Conference (1970) that the issue of imbalance in information flow was introduced at an intergovernmental level. A resolution was adopted affirming the "inadmissibility of using information media for propaganda on behalf of war, racialism and hatred among nations" (See Annex I of Part One). This resolution, as stated in Part One, was the beginning of the strenuous process of elaboration of the Mass Media Declaration.

The late sixties saw the rise of the controversy on direct satellite broadcasting and this brought about a significant new element in Unesco's involvement in communication issues. This was a shift of emphasis from communication infrastructure to both infrastructure and content of communication. The controversy related to the possibilities of direct satellite broadcasting consolidated further the Unesco Member States behind the demand for a balanced flow of information and led in 1972, to the adoption of a declaration on satellite broadcasting. This declaration was subsequently endorsed by the UN General Assembly itself, in

November of the same year.

In the seventeenth General Conference of Unesco (1972) the problems of imbalance in information were further elaborated and forcefully stated, and the Director General was authorized to promote the development of national news agencies in order to facilitate greater exchange of news between industrialized and developing countries.

In the eighteenth session (1974) the concept of "free and balanced", in place of "free flow", of information was officially incorporated in Unesco's programme. This session also saw very important debates on such questions as national sovereignty in cultural spheres and on the right to cultural identity of nations. The eighteenth session marked the beginning of another significant Unesco programme, when it authorized the Director General "to facilitate the two-way flow of news through co-operative measures, and in particular by promoting regional news agencies".

The nineteenth session of the General Conference (1976), which was held for the first time in Africa (Nairobi), saw a further intensification of the debates on communication and assured Unesco's continued involvement in this field by approving the Medium-Term Plan (1977-1982) of the Organisation which states that "highest priority should be given to measures aiming at reducing the communication gap existing between developed and developing countries and at achieving a freer and more balanced international flow of information". This Conference also authorized the Director General to further study the fundamental questions in communication for which the Director General set up the International Commission for the study of Communication Problems, popularly known as the MacBride Commission.

The twentieth session of the General Conference confirmed Unesco as the central venue of all debates on communication, a role that evolved since the sixties, by taking three very important decisions. First, the Declaration on the Mass Media, was adopted by acclamation; second, a resolution referring to the establishment of a new world information and communication order was adopted by concensus. The demand for a new information order, which originated in the folds of the Non-Aligned Movement, and came up repeatedly in Unesco deliberations, now became officially adopted as a Unesco goal. The third step taken by this conference was the adoption of a resolution calling for an Intergovernmental Conference for Co-operation on Activities, Needs and Programmes for Communication Development (DEVCOM), which recommended the launching of an International Programme for Communication Development (IPDC), within the framework of Unesco, to be coordinated by an Intergovernmental Council.

Following the General Conference, the thirty third session of the UN General Assembly (1978) adopted resolution 33/115 which affirmed the "need to establish a new, more just and more effective world information and communication order... ", and can be said to have endorsed the recommendation of the DEVCOM Conference by requesting the Unesco Director-General to "... draw up a model for co-operation and assistance in the application and improvement of national information and mass communication systems for social progress and development... ".

The twenty first session of the General Conference (Belgrade, 1980) adopted the recommendation of the DEVCOM Conference, elected the thirty-five members of the Council and took certain steps for the launching of IPDC.

The General Conference also adopted resolution 4/20 on "Application of the Declaration ...". The resolution calls upon Member States to make the public, journalists and people working in the media more conversant with the Declaration and asked Member States, intergovernmental, non-governmental organisations and journalists to "contribute actively to the implementation of the Declaration of Unesco."

First, the United Nations and then Unesco can be said to have travelled a long way in the evolving debates on communication issues. In the following pages an attempt has been made to present some of the major mile-stones in this long, arduous, complex but vital journey that the community of nations has, together - and it is important to remember that it was together - made.

A. LEAGUE OF NATIONS

1. The International Convention Concerning the Use of Broadcasting in the Cause of Peace

This Convention was adopted in Geneva on 23 September 1936. In his opening address to the Inter-Governmental Conference for the adoption of the Convention, the President, Mr. Arnold Raestad of Norway, stated that political broadcasting had "enormous potentialities as a means of fomenting international accord". He explained this point of view in the following words:

> Broadcasts have no material substance, and therefore cannot be stopped at the frontiers; they can be directed towards any point in space; the political effects may be extensive and immediate, but they are not easy to foresee or to control or canalise at need. The underlying ideas of the draft convention are somewhat similar to those that induce governments to renounce the use of certain means of destruction, which, though indubitably effective, cannot be limited in their action to the real objective" (Tomlinson, 1938, p. 229).

The Convention entered into force on April 2, 1938 and is now deposited with the United Nations.

By this Convention the parties undertake, inter alia, to prohibit the broadcasting of transmissions of such character as to incite acts incompatible with the international order or the security of another contracting party. They also undertake to supervise transmissions originating within their territories with a view to preventing them from constituting an incitement to war or to acts likely to lead thereto.

By Resolution 841 (IX) of 17 December 1954, the General Assembly requested states parties to the Convention to declare whether they wished to transfer to the United Nations the functions performed under the terms of the Convention by the League of Nations. It then asked the Secretary-General to prepare for this purpose a draft protocol and to include in it new articles that would provide that each state party should refrain from radio broadcasts involving unfair attacks or slander against other people anywhere, and also that each state party should not interfere with the reception within this territory of foreign radio broadcasts. Such protocol was prepared by the Secretary-General and circulated to the states parties, but no final action has yet been taken.

B. UNITED NATIONS

1. The Charter

The Charter, which was signed on 26 June 1945 and which entered into force on 24 October 1945, states in Article 1 that the United Nations seek "to achieve international cooperation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion". Article 55 of the Charter states that the United Nations shall promote "Universal respect for, and observance of human rights and fundamental freedoms" and Article 68 provides for the setting up of a Commission for the Promotion of Human Rights.

2. Resolution of the first session of the General Assembly on Freedom of Information

At its first session, the General Assembly, in Resolution 59(I) of 14 December 1946, declared freedom information "a fundamental human right", and "the touchstone of all freedoms to which the United Nations is consecrated" and "an essential factor in any serious effort to promote the peace and progress of the world". Accordingly, the General Assembly called upon the Economic and Social Council to convoke a conference for the purpose of formulating its views concerning "the rights, obligations and practices which should be included in the concept of freedom of information". It was upon this resolution that the United Nations Conference of Freedom of Information was held in Geneva.

3. Resolutions of the second session of the General Assembly on Propaganda and Inciters of War and on false or distorted Reports

The Resolution 110(II), which was adopted unanimously by the General Assembly at its second session, on 3 November 1947, concerns "Measures to be taken against propaganda and the inciters of a new war".

The Resolution, after recalling that the Charter "calls for the promotion of universal respect for, and observance of, fundamental freedoms which include freedom of expression", condemns "all forms of propaganda ... which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression". In the same Resolution, the General Assembly requested the government of each state to take appropriate steps within its constitutional limits.

(a) to promote, by all means of publicity and propaganda available to them, friendly relations among nations based upon the purposes and principles of the Charter;
(b) to encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

The General Assembly also decided to refer this resolution to the forthcoming Conference of Freedom of Information.

At its same (second) session in 1947, the General Assembly adopted another Resolution that should also be mentioned. This resolution concerned false or distorted reports likely to injure friendly relations between States. The Resolution invited governments to study such measures as might be taken on the national plane to combat such reports and transmit to the Geneva Conference the results of their studies.

It should be noted that the United Nations Conference on Freedom of Information unanimously adopted two resolutions relating to the need for counteracting false or distorted reports, which undermine friendly relations between states, and to war propaganda. The first of these (Resolution No. 2) endorsed the two previous resolutions of the General Assembly and declared contrary to the purposes of the United Nations "the spreading of false and distorted reports" and "propaganda which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression". It also declared that such reports and such propaganda "constitute a problem of the first importance calling for urgent corrective action on the national and international planes". In its resolutions the Conference also empahsized the moral obligation of the press and other agencies of information to seek the truth and report the facts (Resolution 1) and recommended that the governments of countries in which media of information disseminate racial and national hatred should

> encourage, in consultation with organizations of journalists, suitable and effective non-legislative measures against the dissemination of such hatred and prejudice, and take, within their constitutional limits, appropriate measures to encourage the dissemination of information promoting friendly relations between races and nations based upon the purposes and principles of the United Nations.

4. The UN Conference on Freedom of Information

Of basic importance is the United Nations Conference on Freedom of Information, held in Geneva, Switzerland, 23 March-21 April, 1948. It seems to have been clear from the very early work of the United Nations, before the Universal Declaration of Human Rights was drafted, that a series of very complicated problems was involved in the promotion of freedom of information as one of the human rights. At its first session the General Assembly called on the Economic and Social Council to convoke a conference for the purpose of formulating its views concerning "the rights, obligations, and practices which should be included in the concept of freedom of information".

The Final Act of the Conference (E/CONF.6/79) contains three draft conventions and 43 resolutions. The Conference forwarded the draft conventions to the Economic and Social Council. The conventions and some of the resolutions adopted by the Conference will be dealt with later in this chapter. The Final Act of the Conference, as well as the documents produced for it and submitted to it, indicate that Member States regarded the task of the Conference as being not only to seek to define the concept of freedom of information, but to lay down a long-term policy for the United Nations in the field of freedom of information.

The work of the Conference was prepared by the Sub-Commission on Freedom of Information and of the Press, at that time a sub-commission of the Commission on Human Rights. Among the documents adopted by the Sub-Commission on Freedom of Information and of the Press was a basic paper entitled "Statement of the Rights, Obligations and Practices to be Included on the Concept of Freedom of Information".

a. Statement of the Rights, Obligations, and Practices to be Included in the Concept of Freedom of Information

The Statement lists virtually all of the issues that arise in this field. The right to freedom of information, the Statement reads, "carries with it duties and responsibilities". These are "so closely related" that their union justifies (1) certain legal restrictions" and (2) "certain moral obligations of equal importance". As to the legal restrictions, the Statement observes that these should be imposed "only for causes clearly defined by law". Prior censorship of written and printed matter, the radio, and newsreels should not exist. The moral obligations are described in the following terms:

> The right to freedom of expression ... confer upon all who enjoy it the moral obligation to tell the truth without prejudice and to spread knowledge without malicious intent, to facilitate the solution of the economic, social and humanitarian problems of the world as a whole through the free interchange of information bearing on such problems, to help promote human right and fundamental freedom without any arbitrary discrimination, to help maintain peace and security, and to counteract the persistent spreading of false or distorted reports which provoke hatred or prejudice against States, persons or groups of different race, language, religion or philosophical conviction, confuse the peoples of the world, aggravate relations between nations, or otherwise threaten and destroy the fruits of the common victorious struggle of nations against the Nazi, Fascist, and Japanese aggressions during the las World War.

One paragraph of the Statement offers suggestions as to the precautions required "to prevent the media of information from becoming instruments of exploitation of public opinion, whether in the service of governments, financial interests or other private bodies". It was stated that experience showed "that dangers arise when the media of information are in the hands of monopolies or quasi-monopolies, either public or private".

The Conference did not act on the Statement by trying to adopt or suggest a text of "the concept of freedom of information". The Statement is, however, reflected in Resolutions 1, 2, 3 and 4 of the Final Act of the Conference, under the heading "General Principles", presaging the complex, ideological pattern that characterized the subsequent history of the debate on freedom of information in the United Nations.

b. The Draft Convention on Freedom of Information

The 1948 United Nations Conference on Freedom of Information prepared, as already stated, three draft conventions. The third was the Draft Convention on Freedom of Information, intended to define freedom of information as a legal right, carrying with it duties and responsibilities and subject to certain limitations. The Draft Convention originated from a proposal made at Geneva by the United Kingdom delegation.

The Final Act of the Conference was considered by the Economic and Social Council at its seventh session (July-August 1948). The Council transmitted the three draft conventions recommended by the Conference to the General Assembly. While some action was taken by both the Council and the General Assembly on two of the draft conventions, the General Assembly - after having tried to revise the first articles of the Geneva Draft Convention on Freedom of Information during the second part of its third session (April-March 1949) - decided to postpone the question. At its fifth regular session (1950) the General Assembly decided to set up an ad hoc Committee to prepare a Draft Convention on Freedom of Information, taking into account the work already done. The ad hoc Committee met early in 1951 and drafted a Preamble and 19 articles of a Convention. The Committee's report (A/AC.42/7) was transmitted to the General Assembly at its sixth regular session (1951-1952), but action was postponed until the 1953 regular session. The item appeared on the agenda of the General Assembly at the regular sessions in most of the following years.

However, in the course of the regular sessions in 1959, 1960, and 1961, the Third Committee of the General Assembly succeeded in adopting the texts of the Preamble and of Articles 1-4 of the 1951 Draft Convention. As adopted by the Third Committee, the Draft Convention deals with freedom of information in Article I, in these terms:

> (a) Each Contracting State shall undertake to respect and protect the right of every person to have at his disposal sources of information;
>
> (b) Each Contracting State shall secure to its own nationals, and to such of the nationals of every other Contracting State as are lawfully within its territory, freedom to gather, receive and impart without governmental interference, save as provided in Article 2, and regardless of frontiers, information and opinions orally, in writing or in print, in the form of art or by dully licensed visual or auditory devices;
>
> (c) No Contracting State shall regulate or control the use or availability of any of the means of communication referred to in the preceding paragraph in any manner discriminating against any of its own nationals or of such of the nationals of any other Contracting State as are lawfully within its territory on political grounds or on the basis of their race, sex, language or religion.

Article 2 of this Draft Convention deals with permissible restrictions on freedom of information. The main difficulties that have arisen in connection with the Draft relate to the wording of this Article. As adopted by the Third Committee at the fifteenth session of the General Assembly, the Article reads as follows:

> 1. The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may, however, be subject only to such necessary restrictions as are clearly defined by law and applied in accordance with the law in respect of: national security and public order (ordre public); systematic dissemination of false reports harmful to friendly relations among nations and of expressions inciting to war or to national, racial or religious hatred; attacks on founders of religions;

incitement to violence and crime; public health and morals; the rights, honour and reputation of others; and the fair administration of justice.

2. The restrictions specified in the preceding paragraph shall not be deemed to justify the imposition by any State of prior censorship on news, comments and political opinions and may not be used as grounds for restricting the right to criticize the government.

Article 2 has been understood to reserve to the contracting states the right to retain or introduce in their national legislation certain limitations on the exercise of freedom of information as defined in Article 1 of the Draft Convention. In other words, by being a party to the Convention, a state would not assume the obligation to introduce in its legislation any such provisions; a contracting state may in its discretion abstain from limiting freedom of information to the extent permitted by Article 2.

In countries, however, where freedom of the press and of expression in general is based on constitutional texts or other legislation that does not accept as permissible such restrictions as mentioned in Article 2 of the Draft Convention, there are serious political obstacles for the adoption of the standards laid down by the Draft Convention. Within such countries, journalists and media of information tend to describe Article 2 as "suggestive"; it is supposed to lower the standards of freedom of information already secured by law. As a project in the field of the unification of national legislation concerning information activities, the Draft has also met the problems of different national legal techniques such as appear whenever uniform law is considered, even where political or ideological differences are absent.

The preamble of this Draft Convention, as adopted by the Third Committee, also includes formulations of principal importance. In addition to recalling freedom of information as a fundamental human right, the preamble notes, inter alia:

> Free interchange of accurate, objective and comprehensive information and of opinions, both in the national and international spheres, is essential to the causes of democracy and peace and for the achievement of political, social, cultural and economic progress.
>
> Freedom of information implies respect for the right of everyone to form opinion through the fullest possible knowledge of the facts.
>
> In order to achieve these aims the media of information should be free from pressures of dictation but that these media, by virtue of their power for influencing public opinion, bear to the peoples of the world a great responsibility, and have the duty to respect the truth and to promote understanding among nations.

The difficulties met in seeking general agreement on the text of a basic Convention on Freedom of Information have been the reasons for the adoption of some other procedures. The Economic and Social Council, at its twenty-seventh session (1959), considered that a United Nations Declaration on Freedom of Information could be a further step in promoting freedom of information. The question was dealt with at the twenty-eighth and the twenty-ninth sessions of the Council which, at the latter session (1960), adopted a Draft Declaration and transmitted it to the General Assembly for its consideration. The consideration of this draft is, along with the Draft Convention, still on the agenda of the General Assembly.

Another means of keeping the question of freedom of information alive within the United Nations program has been the preparation of reports on developments in the field of freedom of information. At its fourteenth session (May-August, 1952), the Economic and Social Council appointed Mr. Salvador P. Lopez (Philippines) as Rapporteur on matters relating to freedom of information. In 1953 Mr. Lopez submitted to the Council a "Report on Contemporary Problems and Developments, with Recommendations for Practical Action" (E/2426). It included a recommendation to the General Assembly to proceed with a detailed consideration of the Draft Convention. Mr. Lopez also stated that, while difficulties confronting the adoption of a Convention on Freedom of Information were not insuperable, there was merit in the suggestion that the United Nations consider the possibility of drafting and adopting a Declaration on Freedom of Information.

In 1954, Mr. Lopez submitted a supplementary report on freedom of information to the Economic and Social Council (E/2426/Add. 1-5). By Resolution 718 (XXVII) of the Council, the Secretary-General of the United Nations was requested to prepare a substantive report for submission to the Council in 1961 on developments in the field of information since 1954. The task was entrusted by the Secretary-General to a consultant (Dr. Hilding Eek of Sweden), and his report was submitted to the Council in 1961 (E/3443).

5. The Declaration of Human Rights

The first task of the Commission on Humn Rights was to discuss the question of a draft Declaration of Human Rights. The Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations on 10 December 1948 "as a comon standard of achievement for all peoples and all nations". It is not a convention, but it supports to define human rights and fundamental freedoms that the Member States of the United Nations, by their adherence to the Charter, are bound to respect and observe.

Freedom of information is referred to in Article 19 of the Declaration, which reads as follows:

> Everyone has the right to freedom of opinion and expression; this rights includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

It may be noted that, while the Declaration deals with rights and freedoms belonging to "all human beings" (Article 1), confers these rights and freedoms on "everyone", and deals mainly with the safeguarding of the rule of law within countries, it also refers to some basic international aspects related to the achievement of a universal respect of the rule of law. This appears from Article 28, where it is said that "everyone is entitled to a social and international order in which the rights and freedom, set forth in the Declaration can be fully realized" (emphasis added). Moreover, the Preamble states in one of its paragraphs that "it is essential to promote the development of friendly relations between nations", and Article 29(3) contains the following: "These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations". These purposes and principles are stated in the Preamble to and in Article 1 of the Charter.

6. Proposal for a Draft Convention on The Gathering and International Transmission of News

One of the draft conventions prepared by the 1948 Geneva Conference on Freedom of Information was based on a proposal made by the Delegation of the United States of America, entitled "Draft Convention on the Gathering and International Transmission of News". The original draft was concerned with the protection of foreign correspondents and their access to news, as well as with their access to transmission facilities and with the egress from the territories of contracting states without censorship, editing, or delay. The General Assembly decided, however, at its third session, to merge this Draft Convention with the Geneva Convention Concerning the Institution of an International Right of Correction (see below), into one statement: The Convention on the International Transmission of News, and the Right of Correction. However, the General Assembly decided that time not to open the amalgamated Convention for signature. But later, in 1952, the General Assembly adopted a separate Convention on the International Right of Correction, to be reviewed below.

By this action, those articles of the amalgamated text relating to the international transmission of news remained approved but not opened for signature. These articles deal with the protection of foreign correspondents and with their free access to transmission facilities and with the egress from the territories of contracting states without censorship, editing, or delay. Such questions have also been considered by the Economic and Social Council. In 1951, the Council appealed to governments, in Resolution 387B(XIII), to safeguard the right of correspondents freely and faithfully to gather and transmit news. In 1954, by its Resolution 522C(XVII), the Council transmitted

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to states, members, and nonmembers of the United Nations two studies relating to the status and work of foreign correspondents, with a request that states consider the possibility of implementing the administrative measures contemplated in these studies.

Another question concerning news personnel working abroad has been dealt with by the General Assembly in recent years. It concerns the protection of journalists engaged in dangerous missions in areas of armed conflict. A Draft Convention on the subject was submitted to the General Assembly by the Secretary-General in 1973 but has been referred to later sessions.

7. Resolution of the Seventh Session of the General Assembly on False and Distorted Information

At its seventh regular session (1952), the General Assembly recommended "that United Nations bodies studying the problems of freedom of information should consider appropriate measures for avoiding the harm done to international understanding by the dissemination of false and distorted information". In his report (1953), the Rapporteur on Freedom of Information remarked about this resolution that it was "the latest in a series of resolutions adopted by various organs of the United Nations on this subject". He added the following comment:

> It is significant that all the resolutions of the General Assembly and the Geneva Conference condemning propaganda for war and false and distorted reports were adopted without negative vote, showing that the existence of the evil and the need to combat it are generally recognized. However, there is considerable disagreement on the practical measures which should be taken to counteract such propaganda reports, with the result that positive action in the field has been slow.

Here one should also note the work performed by the Third Committee in drafting the Convention on Freedom of Information (see above)

8. The Convention on the International Right of Correction

The Press Acts of many countries, often include provisions for a right of reply or correction. The right is construed as a safeguard of every man's freedom, but it evidently also creates a liability on newspapers or the media, which may, by law, be required to provide space or time for the publication of replies or corrections. The right of reply was discussed at the 1948 Conference in Geneva in two contexts. In its consideration of Article 17 of the Draft Covenant on Human Rights, the Conference took note of a paragraph of draft Article 17, which said that a state may establish, on reasonable terms, a right of reply or similar corrective remedy. Second, the Conference adopted the text of a Draft Convention concerning the Institution of an International Right of Correction, originally proposed by the Delegation of France.

The Convention was adopted by the General Assembly at its seventh session on 16 December 1952 and entered into force on 24 August 1962, when six signatory states had deposited their instruments of ratification or accession. In August 1977 the Convention had been ratified by ten states.

The Convention does not impose any obligations on news media or newspeople directly. Its provisions concern the relations between states. It provides, in Article 1, that in cases in which a contracting state alleges that news reports likely to injure its relations with other states - transmitted from one country to another country by a correspondent or by news agencies and disseminated abroad - are false or distorted, it may submit its version of the facts (called "communiqué") to the contracting states within whose territories such reports have been published. Any government of a contracting state receiving such a communiqué shall make it available to the news enterprises functioning within its territory. Under Article 4 of the Convention, the Secretary-General of the United Nations is to give appropriate publicity to the communiqué.

9. The Draft International Code of Ethics for Information Personnel

An international code of ethics for information personnel was drafted by the Sub-Commission on Freedom of Information and of the Press, which began this work at its fourth session in 1950 and ended it at its fifth and last session in 1952. At its fourteenth session (1952), the Economic and Social Council asked the Secretary-General to transmit the Draft International Code of Ethics to information enterprises and professional organizations for such action as they might deem appropriate. This indicated at the same time that the United Nations might be prepared to cooperate in arrangements for an international professional conference to complete work on the code. The General Assembly, however, at its ninth session (1954), in Resolution 838(IX), decided to take no further action in regard to the organization of an international conference to prepare the final text of a code of ethics, and it requested the Secretary General to transmit the text of the Draft to the enterprises and associations with which he had been in communication regarding the matter, for their information and for such action as they might deem proper.

The text of the Draft International Code of Ethics contains one article (Article IV) that deals with reports and comments on foreign countries. It reads as follows:

> It is the duty of those who describe and comment upon events relating to a foreign country to acquire the necessary knowledge of such country which will enable them to report and comment accurately and fairly thereon.

Article III, Paragraph 3 of the Draft International Code of Ethics states inter alia, that "if charges against reputation or moral character are made" (against individuals), "opportunity should be given for reply". However, no "right of reply" to be invoked by a government is laid down in the Draft Code.

10. Instruments Concerning Direct Broadcasting Satellites

In 1963, the General Assembly unanimously adopted a resolution originally proposed by the Delegation of the U.S.S.R., entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space". While this Declaration does not specify the new forms of mass communication facilitated by satellites beaming transmissions directly to home receivers, it does take account of the General Assembly Resolution 110(II) of 1947 and states that it is also applicable to outer space.

Similarly, reference is made to the same General Assembly Resolution in the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the moon and other celestial bodies. This so-called "Outer Space Treaty" was unanimously adopted in December 1966, and it entered into force on 10 October 1967. Like the earlier Declaration, the Treaty does not explicitly cover the use of satellites in mass communication, except in its preamble:

> Taking account of United Nations General Assembly Resolution 110(II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space.

At the time of adoption of this Treaty, the United Nations Committee on the Peaceful Uses of Outer Space was given the mandate, by the General Assembly Resolution 2260 (XXII) 1967, to study the technical feasibility of direct broadcasting satellites and their implications. This task, carried out in 1969-74 within a special working group on direct broadcasting satellites, has, among other things, included consideration of program material and its compatibility with principles such as that covered by General Assembly Resolution 110(II). Furthermore, the principle of freedom of information has been subjected, in this connection, to a new political and legislative deliberation, particularly with reference to the so-called "prior consent" issue - that is, whether or not transmissions over a direct broadcasting satellite from one country to another should take place only with the deliberate consent of the receiving State. The present chapter will not review the work carried out within the framework of the Outer Space Committee in greater detail (see, Signitzer, 1976).

In reference to the work performed by the Outer Space Committee, on direct broadcasting satellites, the General Assembly has passed Resolutions 2733 A (XXV) in 1970 and 2916 (XXVII) in 1972, stressing the potential of this technology for international understanding and a wider dissemination of information, but also urging the prevention of its use for transmission of programs promoting war, hatred, apartheid, and colonialism. Accordingly, the Legal Sub-Committee of the Outer Space Committee, in drafting a Convention on this matter, as called upon by the Resolution 2916 (XXVII), has formulated, in its fifteenth session (3-28 May 1976), the relevant purposes and objectives, by declaring that international activities in this field "should be carried out in a manner compatible with the development of mutual understanding and the strengthening of friendly relations and cooperation among all States and peoples in the interest of maintaining international peace and security".

11. The International Convention of the Elimination of all forms of Racial Discrimination

This Convention was adopted by the General Assembly of the United Nations on 21 December 1965. It entered into force on 4 January 1969.

By Article 3, states, parties to the Convention, condemn racial segregation and apartheid and undertake to prevent, prohibit, and eradicate all practices of this nature in territories under their jurisdiction. By Article 4, they condemn all propaganda and all organizations based on ideas or theories of superiority of one race or group of persons of one color or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form. They also undertake to adopt immediate and positive measures designed to eradicate all incitement to such discrimination, and, to this end, "with due regard to the principles embodied in the Universal Declaration of Human Rights", they "declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred", and make illegal and prohibit organizations that promote and incite racial discrimination and recognize participation in such organizations or activities as an offence punishable by law.

Although these undertakings imply the duty to give, by law, directives to both individuals and media of information limiting their freedom, the human rights philosophy, which motivates the Convention as a whole, dictates the provisions in Article 5. By these provisions states undertake, inter alia, to guarantee the right of everyone, without distinction to race, color, or national or ethnic origin, to equality before the law, in the enjoyment of civil rights, including "the right to freedom of thought, conscience and religion" and "the right to freedom of opinion and expression".

12. The International Covenant on Civil and Political Rights

The Covenant, which is technically speaking a Convention, was unanimously adopted by the General Assembly of the United Nations on 18 December 1966. It entered into force on 23 March 1967, that is, three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or accession. By August 1977, forty-four states (not including the U.S.A.) had ratified the Covenant.

Freedom of information as a human right is dealt with in Articles 18, 19, and 20 of the Covenant. Article 18 states that "everyone shall have the right to freedom of thought, conscience and religion". After this introductory pronouncement, it deals primarily with freedom of religion. In Article 19, the above-quoted principle, laid down in Article 19 of the Universal Declaration on Human Rights, is elaborated. According to Paragraph 3 of the Article, the exercise of the rights with which the Article is concerned "carries with it special duties and responsibilities" and may be subject to certain restrictions, "but these shall only be such as are provided by law and are necessary (a) for respect of the rights or reputations of others; (b) for the protection of national security or public order (ordre public), or of public health or morals". The requirement that restrictions be provided by law is evidently essential; legislation must, furthermore, in a state party to the Covenant, meet with some international standards relating to the "necessity" of certain restrictions.

Article 20 of the Covenant reads as follows:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.

This Article puts upon the states, parties to the Covenant, the obligation to prohibit by law propaganda for war and any advocacy such as described in the Article. It seems clear that the legislation envisaged by the Covenant must be intended to apply not only to individuals, but also to mass media as corporate bodies. The law is supposed to give directives relating to the performance of all media of information, and in this respect the Covenant goes beyond simply providing for the protection of freedom of expression as an individual human right. Because of this, five of the countries that ratified the Covenant (Denmark, Finland, Norway, Sweden, and United Kingdom) have stated reservation with respect to this Article (Paragraph 1).

13. The International Convention on the Suppression and Punishment of Crime of Apartheid

This Convention was adopted and opened for signature by the General Assembly on 30 November 1973 and became effective on 18 July 1976.

By Article 1, the states parties to the Convention declare that apartheid is a crime against humanity. In Article I and, in more detail, in Article 2 "the crime of apartheid" is defined.

According to Article II, criminal responsibility shall apply to "individuals, members of organizations and institutions and representatives of the State ... whenever they commit, participate in, directly incite or conspire in the commission" of the acts defined in Article II. By Article IV, states parties to the Convention undertake, inter alia, "to adopt any legislative measures necessary to suppress as well as to prevent any encouragement of apartheid and similar segregationist policies or their manifestations and to punish persons guilty of that crime".

Thus, the Convention puts upon contracting states the obligation to limit freedom of expression for the purpose of combating effectively the crime of apartheid.

14. Resolution of Thirty Third Session of the General Assembly on Questions Relating to Information (1978)

In resolution 115, the General Assembly recalled the Declaration on Mass Media, adopted by the twentieth session of the General Conference of Unesco. In the same resolution, pointing out "the manifest need to change the dependent status of the developing countries in the sphere of information and communication" affirmed the "need to establish a new, more just and more effective world information and communication order, intended to strengthen international peace and understanding and based on the free circulation and wider and better balanced dissemination of information"; and specified that the efforts to establish this new order should particularly reflect the legitimate aspirations of the developing countries, and requested "the Specialized Agencies to provide co-operation and assistance to the developing countries in order to help them to identify and eliminate obstacles to the establishment of greater reciprocity in the circulation of information and to define needs and objectives in the communications sector by drawing up action programmes and mobilizing the necessary resources to increase their ability to produce and disseminate information".

The General Assembly expressed satisfaction to the Director General of Unesco for his efforts in the sphere of information and communication and requested him to submit a report on Unesco activities in this area to the thirty fourth session.

It is to be mentioned here that in the same session the General Assembly "conscious of the important role which the United Nations Information Services should play in better disseminating to world opinion the aims and achievements of the United Nations", decided to "establish a Committee to Review United Nations Public Information Policies and Activities".

15. Resolutions of the Thirty Fourth Session of the General Assembly on Questions Relating to Information (1979)

There were two resolutions, namely 34/181 and 34/182, adopted by this session concerning questions relating to information. In the first resolution the General Assembly requested the Director General of Unesco to "continue to pursue his efforts to prepare an integrated model plan for co-operation and assistance in the application and improvement of national informational and mass communication systems...".

In the second resolution, the General Assembly, decided to maintain and expand (from 44 to 66) the Committee of Review and also increased its mandate to include the following:

"(a) to continue to examine United Nations public information policies and activities...;

(b) to evaluate and follow up the efforts made and the progress achieved by the United Nations system in the field of information and communication;

(c) to promote the establishment of a new, more just and more effective world information and communication order intended to strengthen peace and international understanding and based on the free circulation and wider and better balanced dissemination of information and make recommendations thereon to the General Assembly".

Underlying the tremendous importance of the cooperative work of UN and Unesco in the field of communication, the General Assembly affirmed

"the primary role the United Nations General Assembly is to play in elaborating, co-ordinating and harmonizing United Nations policies and activities in the field of information towards the establishment of a new, more just and more effective world information and communication order", and recognized "the central and important role of Unesco in the field of information and mass communications..." and requested "the Director-General of Unesco to submit to the United Nations General Assembly at its thirty-fifth session, a progress report on the establishment of the new world information and communication order in the light of the conclusions of the twentieth session of the General Conference of Unesco".

16. Resolutions of the Thirty Fifth Session of the General Assembly on Questions Relating to Information (1980)

The General Assembly resolution 35/201 expressed its satisfaction with the relevant resolutions of Unesco adopted in the twenty first session of the General Conference.

The resolution also affirmed "that the establishment of a new world information and communication order is linked to the new international economic order and is an integral part of the international development process".

Concerning the formation of the International Programme for Development of Communications (IPDC), the General Assembly noted its establishment with satisfaction and termed it "an important step" in the establishment of the new world information and communication order.

The resolution went on to invite "Governments, non-governmental organizations and other entities in Member States to extend financial as well as technical support for the development of communication structures in developing countries and in particular to the International Programme for the Development of Communication and to seek and encourage interagency co-operation and the participation of the agencies in the activities of the Programme and its Intergovernmental Council".

Before ending this brief discussion on the activities of the United Nations in the field of informaiton, it should be pointed out that the draft convention and the draft declaration on freedom of information have been on the agenda of the UN General Assembly ever since its fourteenth (1959) and fifteenth (1960) sessions respectively. They have always appeared under the agenda items entitled "Questions Relating to Information" - sub-item "Freedom of Information". In every session when this item comes up for discussion, it is deferred to the subsequent session.

C. UNESCO

1. The Constitution

The Unesco Constitution, adopted on 16 November, 1945, touches upon the concept of freedom of information in the sixth preambular paragraph, which states that

> ... Parties to this Constitution believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communications between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives.

The free flow of ideas is referred to more explicitly in Article 1 of the Constitution, defining, first, the overall purpose of the Organization to "contribute to peace and security by promoting...". The second paragraph stipulates:

> to realize this purpose the Organization will: (a) collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;... (c) maintain, increase and diffuse knowledge ... by encouraging cooperation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information; by initiating methods of international cooperation calculated to give the people of all countries access to the printed and published materials produced by any of them.

2. The "Beirut Agreement"

In 1948, at its third session, held in Beirut, the Unesco General Conference adopted the *Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific* and Cultural Character ("Beirut Agreement"). This instrument states in its preamble that the contracting parties are convinced that in facilitating the international circulation of the materials covered, "the free flow of ideas by word and image will be promoted and the mutual understanding of peoples thereby encouraged, in conformity with the aims of the United Nations Educational, Scientific and Cultural Organizations". To promote the free flow of information, the Agreement grants to the materials covered exemption from all customs duties and from all quantitative restrictions, as well as from certain internal fees and other charges and the waiver of import licences. By 1980 the Agreement was adopted by twenty-nine contracting states.

3. The "Florence Agreement"

In 1950, at its fifth session in Florence, the General Conference adopted the Agreement on the Importation of Educational, Scientific and Cultural Material ("Florence Agreement"), designed to ease, as mentioned in the preamble, "the free exchange of ideas and knowledge". The preamble recalls some of the terms, referred to above, of the Constitution of Unesco, and subsequently states that "these aims will be effectively furthered by any international agreement facilitating the free flow of books, publications and educational, scientific and cultural materials".

Accordingly, the Agreement exempts from customs duties and certain other importation charges, a wide range of objects, including books, and works of art; in addition, the Agreement grants the necessary licenses and foreign and foreign exchange for the importation of some categories of materials, notably books for libraries. By 1979 the Agreement was adopted by seventy-three countries.

4. The Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education, and Greater Cultural Exchange

This Declaration was proclaimed by the General Conference of Unesco at its seventeenth session, on 15 November 1972.

The Declaration deals, in general, with mutual relations between countries in the development of satellite broadcasting, as based on the principles and rules of international law, particularly the Charter of the United Nations and the Outer Space Treaty (Article I).

Article III of this Declaration states that "the benefits of satellite broadcasting should be available to all countries without discrimination and regardless of their degree of development". Article IV affirms that "satellite broadcasting provides a new means of disseminating knowledge and promoting better understanding among peoples", and Article V goes on to say that "the objective of satellite broadcasting for the free flow of information is to ensure the widest possible dissemination, among the peoples of the world, of news of all countries, developed and developing alike". Article VII adds that "cultural programmes... should respect the distinctive character, the value and the dignity of each", and Article IX refers to "the principle of freedom of information".

In the preamble of this Declaration, the General Conference of Unesco refers to the United Nations General Assembly Resolution 110(II) of 3 November 1947, condemning propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression.

Paragraph 2 of Article IV of the Declaration states that the fulfillment of the potentialities of satellite broadcasting "requires that account be taken of the needs and rights of audiences, as well as the objectives of peace, friendship and cooperation between peoples, and of economic, social and cultural progress".

The second paragraph of Article V sets forth the following principle:

> Satellite broadcasting, making possible instantaneous world-wide dissemination of news, requires that every effort be made to en-

sure the factual accuracy of the information reaching the public. News broadcasts shall identify the body which assumes responsibility for the news programme as a whole, attributing where appropriate particular news items to their source.

5. The Declaration of the Principles of International Cultural Cooperation

This Declaration was unanimously adopted by the General Conference of Unesco at its fourteenth session, on 4 November 1966, the twentieth anniversary of the foundation of the Organization. The Declaration was proclaimed "to the end that governments, authorities, organizations, associations and institutions responsible for cultural activities may constantly be guided by these principles". Its purpose is to advance "through the educational, scientific and cultural relations of the peoples of the world, the objectives of peace and welfare that are defined in the Charter of the United Nations.

Article I states that "each culture has a dignity and value which must be respected and preserved" and that "every people has the right and the duty to develop its culture". Article IV proclaims that "the aims of international cultural cooperation... shall be to spread knowledge... and... to enable everyone to have access to knowledge...". Article VII adds that "broad dissemination of ideas and knowledge, based on the freest exchange and discussion, is essential to creative activity, the pursuit of truth and the development of personality". Article VIII lays down the principle that "cultural cooperation shall be carried on for the mutual benefit of all nations" and that exchanges shall take place "in a spirit of broad reciprocity".

In this Declaration a large place is assigned to the mass media. Articles VII and IX of the Declaration are of special interest. Under Article IX cultural cooperation "shall contribute to the establishment of stable, long-term relations between peoples, which should be subjected as little as possible to the strains which may arise in international life". Paragraph 2 of Article VII reads as follows:

> In cultural cooperation, stress shall be laid on ideas and values conducive to the creation of a climate of friendship and peace. Any mark of hostility in attitudes and in expression of opinion shall be avoided. Every effort shall be made, in presenting and disseminating information, to ensure its authenticity.

6. The Declaration on Race and Racial Prejudice

This Declaration was adopted by acclamation in the Twentieth session of Unesco's General Conference, held at its Headquarters in Paris on 27 November 1978. Comprising of a total of ten articles, the Declaration proclaims that all human beings "are born equal in dignity and rights and all form an integral part of humanity". Condemning all theories claiming racial or ethnic superiority of some as having "no scientific foundation and as contrary to the ethical principles of humanity" the Declaration, in Article 5, calls upon

> "The mass media and those who control or serve them, as well as all organized groups within national communities, are urged - with due regard to the principles embodied in the Universal Declaration of Human Rights, particularly the principle of freedom of expression, - to promote understanding, tolerance and friendship among individuals and groups and to contribute to the eradication of racism, racial discrimination and racial prejudice, in particular by refraining from presenting stereotyped, partial, unilateral or tendentious picture of individuals and of various human groups. Communication between racial and ethnic groups must be a reciprocal process, enabling them to express themselves and to be fully heard without let or hindrance. The mass media should therefore be freely receptive to ideas of individuals and groups which facilitate such communication".

Drawing attention to the primary responsibility of the State to ensure equal rights and fundamental freedoms to all, Article 6 of the Declaration calls upon States to take appropriate steps to prohibit and eradicate... racist propaganda.

> "1. The State has prime responsibility for ensuring human rights and fundamental freedoms of an entirely equal footing in dignity and rights for all individuals and all groups.
>
> 2. So far as its competence extends and in accordance with its constitutional principles and procedures, the State should take all appropriate steps, inter alia by legislation, par-

> ticularly in the spheres of education, culture and communication, to prevent, prohibit and eradicate racism, racist propaganda, racial segregation and apartheid and to encourage the dissemination of knowledge and the findings of appropriate research in natural and social sciences on the causes and prevention of racial prejudice and racist attitudes, with due regard to the principles embodied in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights".

7. Selected Resolutions of General Conferences (resolutions mentioned here do not include those on the Declaration)

a) Seventeenth session (1972)

The highlight of this session was the adoption of the "Declaration of Guiding Principles on the use of satellite broadcasting for free flow of information, the spread of education and greater cultural exchange" (discussed separately).

The General Conference dealt with the question of the flow of information between nations and called upon Unesco to "promote the development of national news agencies as a means of facilitating greater exchange of news between developing countries and increasing the flow of their news to the rest of the world".

b) Eighteenth session (1974)

In this session of the General Conference attention was once again drawn to the fact that "free flow of information" had little meaning for those lacking the necessary communication infrastructures to participate in the "flow" of information". The debates on communication issues laid great stress on such subjects as national sovereignty on cultural sphere and the effect of the existing international communication structure on cultural identity of nations.

The need for the replacement of "one-way flow" by "two-way flow" of information was reiterated. The question of "... adequate professional standards in the use of the mass media" was raised and the Director General was authorized

> "to prepare, with a view to strengthening international understanding and world peace, guidelines for national codes of ethics designed to promote the sense of responsibility which should accompany the exercise of freedom of information..."

Unesco programmes on communication research and policies emerged greatly strengthened from this session of the General Conference.

c) Nineteenth session (1976)

The debates on communication problems, which were identified by the Director General as the "burning questions" of the present times, occupied the predominant place during the nineteenth session of the General Conference and the discussions brought out many different aspects of the problem, such as:

- the development of highly sophisticated communication techniques accentuates the gap between rich and poor countries;
- the development and use of mass media, which represent a source of profit, often reflect the uneven distribution of economic power;
- large scale intrusion of information from abroad brings with it serious threats to cultural identity;
- each country should strengthen its own information facilities and use the extraordinary potential offered by mass communication... for development.

This debate gave rise to a controversy which threatened to lead the international community, divided amongst themselves, into a conflict of the kind that paralyses all actions. As discussed in Part One, one of the conflicting issues was the Declaration itself, a decision on which was postponed for the twentieth session. But preliminary agreement on certain notions was achieved, based on a number of key ideas. Thus, the outstanding event of the nineteenth session of the General

Conference was the agreement, among all countries on the need for

> "... liberating the developing countries from the state of dependence resulting from specific historical circumstances which still characterizes their communication and information systems..."

This demand for liberation had not been regarded as a threat, either open or veiled, to the free flow of information.

The Director General, in his speech at the closure of the session, pointed out the growing importance of Unesco's work in the field of communication, and said:

> "In view of the important task thus entrusted to it, the organization will hence forth occupy a key position in the immense and ambitious undertaking to establish what has been called a new order in communication".

d) Twentieth session (1978)

The highlight of this session was of course the adoption, by acclamation, of the Mass Media Declaration (see Part One for details). But there were several other significant resolutions adopted at the same time. In an incisive observation the General Conference opined:

> "that the imbalance in information flows is becoming increasingly marked at the international level, despite the development of communication infrastructures".

In the same resolution the conference affirmed

> "the manifest need to end the dependence of the developing world in the sphere of information and communication";

and went ahead to endorse

> "efforts to establish a new, more just and more balanced world information and communication order"

inviting the Director General

> "... to continue his efforts with a view to the establishment of this new order, entailing in particular the promotion of national systems in developing countries and the establishment of a new equilibrium and greater reciprocity in the flow of information".

In another resolution on the International Commission for the Study of Communication Problems, which had submitted its Interim Report for its consideration, the General Conference reaffirmed

> "the evident necessity to change the state of dependence of the developing world in the field of information and communication and to replace it with relationships of interdependence and cooperation".

The Twentieth session of the General Conference, in a significant step, which later bore fruit in the form of International Programme for the Development of Communication, adopted another resolution which requested the Director General

> "to intensify and encourage communications development and to hold consultations designed to lead to the provision to developing countries of technological and other means for promoting a free flow and a wider and better balanced exchange of information of all kinds"

and invited him to

> "convene... a planning meeting of representatives of governments, to develop a proposal for institutional arrangements to systematize collaborative consultation on communications development activities, needs and plans"

and authorized him

> "(following the planning meeting)... to take necessary steps to foster such institutional arrangements and for this purpose to seek the partnership of other appropriate international bodies"

The above resolutions and the debates of the session indicated that a broad concensus had emerged on one essential point; that the existing information order in the world was far from satisfactory and in particular, energetic steps have to be taken to assist the developing countries to strengthen their communication and information infrastructures, including training the specialists that they needed.

This session can also be said to have given an official seal (to be soon followed by the UN General Assembly) to the point of view that communications issues were one of the central problem areas of our time.

Another significant achievement of this session of the General Conference was the adoption by acclamation of the Declaration on Race and Racial Prejudice. This Declaration and that on the Mass Media can be said to be mutually supportive of one another. While one of the fundamental purposes of the latter was to "... counter Racialism, Apartheid...", the former makes direct reference to the mass media and urges them "... to promote understanding, tolerance, and friendship... and to contribute to the eradication of racism, racial discrimination... by refraining from presenting a stereotyped, partial, unilateral or tendentious picture of individuals and of various human groups".

e) Twenty first session (1980)

This session of the General Conference had before it two very important issues to decide upon. First, there was the document including the Director-General's comments on the Final Report of the International Commission for the Study of Communication Problems. Secondly, there was the recommendation of the Intergovernmental Conference for Co-operation on the Activities, Needs and Programmes for Communication Development (DEVCOM) along with the Director-General's draft plan for the establishment of the International Programme for the Development of Communication - IPDC for short.

In the resolution concerning the Report of the International Commision, the General Conference laid down certain considerations, among others, on which the new world information and communication order should be based:

"i) elimination of the imbalances and inequalities which characterize the present situation;

ii) elimination of the negative effects of certain monopolies, public or private, and excessive concentrations;

iii) removal of the internal and external obstacles to a free flow and wider and better balanced dissemination of information and ideas;

iv) plurality of sources and channels of information;

v) freedom of the press and information;

vi) the freedom of journalists and all professionals in the communication media, a freedom inseparable from responsibility;

vii) the capacity of developing countries to achieve improvement of their own situations, notably by providing their own equipment, by training their personnel, by improving their infrastructures and by making their information and communication media suitable to their needs and aspirations;

viii) the sincere will of developed countries to help them attain these objectives;

ix) respect for each people's cultural identity and for the right of each nation to inform the world public about its interest, its aspirations and its social and cultural values;

x) respect for the right of all peoples to participate in international exchanges of information on the basis of equality, justice and mutual benefit;

xi) respect for the right of the public, of ethnic and social groups and of individuals to have access to information sources and to participate actively in the communication process".

In the other significant resolution - on IPDC - adopted in the twenty first session, the General Conference resolved

> "to establish, within the framework of Unesco an International Programme for the Development of Communication (IPDC)" in accordance with the provisions of the recommendation of the Intergovernmental Conference.

In view of the discussions on item 64 of the agenda, which dealt with "Measure for implementing the Declaration... ", the General Conference adopted resolution 4/20, in which it called upon Member States to:

> "take all necessary steps to ensure that public opinion, journalists and others working in mass media ... become even more conversant with the.... Declaration and to publish it in as many languages".

The resolution also called upon Member States, intergovernmental and non-governmental organisations, journalists ... professional organizations

> "to contribute actively to the implementation of the ... Declaration of Unesco."

It also invited the Director-General to circulate the Declaration as widely and in as many languages as possible and ensure that Unesco's communication programmes are based on its principles.

Before concluding this brief chronological account of Unesco's activities in the field of communication relevant to the Declaration, a special mention should be made of the three intergovernmental conferences on communications policies, the first in Latin America and the Caribbean, the second in Asia and Oceania and the third in Africa, held in 1976, 1979 and 1980 respectively.

These regional conferences were organized primarily for the purpose of identifying regional features of the global problems of communications and to pave the way for regional cooperation in surmounting obstacles in this field. In formulating the specific regional problems and recommendations to overcome, the intergovernmental conferences pointed towards the same global issues as identified by the Mass Media Declaration.

The Latin American policies conference, though held two years before the Declaration was adopted, recommended measures to guarantee access and participation; free expression and thought, and hence freedom of communication and information; protection of communicators (journalists, etc.); right to reply, etc., which were almost identical view points expressed in the Declaration.

The Asian policies' conference also endorsed the principle enunciated in the Declaration when, in its own Declaration, the meeting called for "greater participation of people and individuals in the communication process... , and urged that "every effort be made to eliminate the many obstacles impending the exchange and circulation of information... ".

The African Conference, which was held in 1980, recalled the Mass Media Declaration, also in its own Declaration and said it (the Mass Media Declaration) "highlights the responsibility of the mass media... in achieving (mankind's) noble ideals".

Extracts of International Instruments and Documents Relevant to the Declaration

These annexes contain a collection of materials, to which reference was made in the preamble of the Declaration on the Mass Media, or, if not referred to therein, which still may be of use for its understanding and interpretation.

Most of the texts relate to the human rights programme of the United Nations. Agreements and instruments, which concern mass media and/or individuals or enterprises responsible for their performances, mainly relate to freedom of information. Included among the instruments in this part are those which relate to the guiding principles referred to in the title of the Declaration, namely the strengthening of peace and international understanding and combating war propaganda, racism and apartheid.

LIST OF INSTRUMENTS

1. Constitution of Unesco (1945)
2. United Nations Charter (1945)
3. Universal Declaration of Human Rights (1948)
4. International Convention on the Elimination of All Forms of Racial Discrimination (1965)
5. Declaration on the Promotion Among Youth of the Ideals of Peace, Mutual Respect and Understanding Between Peoples (1965)
6. Declaration of the Principles of International Cultural Cooperation (1966)
7. Resolution 59 (I) of the UN General Assembly (1946)
8. Resolution 110 (II) of the UN General Assembly (1947)
9. Resolution 127 (II) of the UN General Assembly (1947)
10. Declaration on Race and Racial Prejudice (1978)
11. International Convention Concerning the Use of Broadcasting in the Cause of Peace (1936)
12. Statement of the Rights, Obligations and Practices to be Included in the Concept of Freedom of Information (1948)
13. Draft International Code of Ethics for Information Personnel (1952)
14. Convention on the International Right of Correction (1952)
15. International Covenant on Civil and Political Rights (1966)
16. Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space (1967)
17. Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange (1972)
18. International Convention on the Suppression and Punishment of the Crime of Apartheid (1973)

1. Constitution of Unesco

(Adopted in London on 16 November 1945)

....

... the States Parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

....

Article 1. Purposes and functions

1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

2. To realize this purpose the Organization will:

a) Collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;

....

b) Maintain, increase and diffuse knowledge;

By assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;

By encouraging co-operation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information;

By initiating methods of international co-operation calculated to give the people of all countries access to the printed and published materials produced by any of them.

2. United Nations Charter

(Signed in San Francisco on 26 June 1945)

Article 1

The Purposes of the United Nations are:

....

3. To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms of all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

....

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

....

c. Universal respect for, and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

....

3. Universal Declaration of Human Rights

(Adopted by the General Assembly of the United Nations 1948)

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

4. International Convention on the Elimination of All Forms of Racial Discrimination

(Adopted by the United Nations on 21 December 1965)

……

Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in Article 5 of this Convention, inter alia:

a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities including the financing thereof;

b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activites, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

Article 5

... States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

....

d) Other civil rights, in particular:
  - i) The right to freedom of movement and residence within the border of the State;
  - ii) The right to leave any country, including one's own, and to return to one's country:

....

  - vii) The right to freedom of thought, conscience and religion;
  - viii) The right to freedom of opinion and expression;
  - ix) The right to freedom of peaceful assembly and association;

....

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

....

5. Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples

(Adopted by the United Nations on 7 December 1965)

....

Principle I

Young people shall be brought up in the spirit of peace, justice, freedom, mutual respect and understanding in order to promote equal rights for all human beings and all nations, economic and social progress, disarmament and the maintenance of international peace and security.

Principle II

All means of education, including as of major importance the guidance given by parents or family, instruction and information intended for the young should foster among them the ideals of peace, humanity, liberty and international solidarity and all other ideals which help to bring peoples closer together, and acquaint them with the role entrusted to the United Nations as a means of preserving and maintaining peace and promoting international understanding and co-operation.

....

Principle IV

Exchanges, travel, tourism, meetings, the study of foreign languages, the twinning of towns and universities without discrimination and similar activities should be encouraged and facilitated among young people of all countries in order to bring them together in educational, cultural and sporting activities in the spirit of this Declaration.

……

Youth organizations in accordance with this Declaration should take all appropriate measures within their respective fields of activity in order to make their contribution without any discrimination to the work of educating the young generation in accordance with these ideals.

Such organizations, in conformity with the principle of freedom of association, should promote the free exchange of ideas in the spirit of the principles of this Declaration and of the purposes of the United Nations set forth in the Charter.

……

6. Declaration of the Principles of International Cultural Co-operation

(Adopted by Unesco on 4 November 1966)

....

Considering that the Organization's Member States, believing in the pursuit of truth and the free exchange of ideas and knowledge, have agreed and determined to develop and to increase the means of communication between their peoples,

Considering that, despite the technical advances which facilitate the development and dissemination of knowledge and ideas, ignorance of the way of life and customs of peoples still presents an obstacle to friendship among the nations, to peaceful co-operation and to the progress of mankind.

....

Article I

1. Each culture has a dignity and value which must be respected and preserved.

2. Every people has the right and the duty to develop its culture.

3. In their rich variety and diversity, and in the reciprocal influences they exert on one another, all cultures form part of the common heritage belonging to all mankind.

....

Article IV

The aims of international cultural co-operation in its various forms, bilateral or multilateral, regional or universal, shall be:

1. To spread knowledge, to stimulate talent and to enrich cultures;

2. To develop peaceful relations and friendship among the peoples and bring about a better understanding of each other's way of life;

....

4. To enable everyone to have access to knowledge, to enjoy the arts and literature of all peoples, to share in advances made in science in all parts of the world and in the resulting benefits and to contribute to the enrichment of cultural life;

....

Article V

Cultural co-operation is a right and a duty for all peoples and all nations, which should share with one another their knowledge and skills.

Article VI

International co-operation, while promoting the enrichment of all cultures through its beneficient action, shall respect the distinctive character of each.

Article VII

1. Broad dissemination of ideas and knowledge, based on the freest exchange and discussion, is essential to creative activity, the pursuit of truth and the development of the personality.

2. In cultural co-operation, stress shall be laid on ideas and values conducive to the creation of a climate of friendship and peace. Any mark of hostility in attitudes and in expression of opinion shall be avoided. Every effort shall be made, in presenting and disseminating

information, to ensure its authenticity.

Article VIII

Cultural co-operation shall be carried on for the mutual benefit of all the nations practising it. Exchanges to which it gives rise shall be arranged in a spirit of broad reciprocity.

....

7. Resolution 59 (I) of the United Nations General Assembly

(Adopted on 14 December 1946)

59 (I) Calling of an International Conference on Freedom of Information

The General Assembly,

Whereas

Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated;

Freedom of information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such it is an essential factor in any serious effort to promote the peace and progress of the world;

Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent;

Understanding and co-operation among nations are impossible without an alert and sound world opinion which, in turn, is wholly dependent upon freedom of information;

Resolves therefore, in the spirit of paragraphs 3 and 4 of Article I of the Charter, to authorize the holding of a conference of all Members of the United Nations on freedom of information;

Instructs the Economic and Social Council to undertake pursuant to Article 60 and Article 62, paragraph 4, of the Charter, the convocation of such a conference in accordance with the following guiding principles:

a) The purpose of the Conference shall be to formulate its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information;

b) Delegations to the Conference shall include in each instance persons actually engaged or experienced in press, radio, motion pictures and other media for the dissemination of information;

c) The Conference shall be held before the end of 1947, at such place as may be determined by the Economic and Social Council, in order to enable the Council to submite a report on the deliberations and recommendations of the Conference to the following regular session of the General Assembly.

8. Resolution 110 (II) of the United Nations General Assembly

(Adopted on 3 November 1947)

110 (II) Measures to be taken against propaganda and the inciters of a new war

Whereas in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to practice tolerance and live together in peace with one another as good neighbours, and

Whereas the Charter also calls for the promotion of universal respect for, and observance of, fundamental freedoms which include freedom of expression, all Members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

The General Assembly

1. Condemns all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke, or encourage any threat to the peace, breach of the peace, or act of aggression;

2. Requests the Government of each Member to take appropriate steps within its constitutional limits:

a) To promote, by all means of publicity and propaganda available to them, friendly relations among nations based upon the Purposes and Principles of the Charter;

b) To encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace;

3. Directs that this resolution be communicated to the forthcoming Conference on Freedom of Information.

9. Resolution 127 (II) of the United Nations General Assembly
(Adopted on 15 November 1947)

127 (II) False or distorted reports

The General Assembly,

Considering that, under Article I of the Charter, Members are bound to develop friendly relations amongst themselves and to achieve international co-operation in promoting and encouraging respect for human rights and fundamental liberties;

Considering that to attain this end it is essential to facilitate and increase the diffusion in all countries of information calculated to strengthen mutual understanding and ensure friendly relations between the peoples;

Considering that substantial progress in this sphere can be achieved only if measures are taken to combat, within the limits of constitutional procedures, the publication of false or distorted reports likely to injure friendly relations between States;

Invites the Governments of States Members

1. To study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States;

2. To submit reports on this subject to the Conference on Freedom of Information so as to provide the Conference with the data it requires to enable it to start its work immediately on a concrete basis;

Recommends to the Conference on Freedom of Information that it study, with a view to their co-ordination, the measures taken or advocated in this connexion by the various States, as being relevant to the discussion of items 2 (d) and 5 (c) of section II of its provisional agenda.

10. Declaration on Race and Racial Prejudice

(Adopted by Unesco on 27 November 1978)

....

Article 3

Any distinction, exclusion, restriction or preference based on race, colour, ethnic or national origin or religious intolerance motivated by racist considerations, which destroys or compromises the sovereign equality of States and the right of peoples to self-determination, or which limits in an arbitrary or discriminatory manner the right of every human being and group to full development is incompatible with the requirements of an international order which is just and guarantees respect for human rights; the right to full development implies equal access to the means of personal and collective advancement and fulfilment in a climate of respect for the values of civilizations and cultures, both national and world-wide.

Article 4

1) Any restriction on the complete self-fulfilment of human beings and free communication between them which is based on racial or ethnic considerations is contrary to the principles of equality in dignity and rights; it cannot be admitted.

....

Article 5

1) Culture, as a product of all human beings and a common heritage of mankind, and education in its broadcast sense, offer men and women increasingly effective means of adaption, enabling them not only to affirm that they are born equal in dignity and rights, but also to recognize that they should respect the right of all groups to their own cultural identity and the development of their distinctive cultural life

within the national and international context, it being understood that it rests with each group to decide in complete freedom on the maintenance and, if appropriate, the adaptation or enrichment of the values which it regards as essential to its identity.

....

3) The mass media and those who control or serve them, as well as all organized groups within national communities, are urged - with due regard to the principles embodied in the Universal Declaration of Human Rights, particularly the principle of freedom of expression - to promote understanding, tolerance, and friendship among individuals and groups and to contribute to the eradication of racism, racial discrimination and racial prejudice, in particular by refraining from presenting a stereo-typed, partial, unilateral or tendentious picture of individuals and of various human groups. Communication between racial and ethnic groups must be a reciprocal process, enabling them to express themselves and to be fully heard without let or hindrance. The mass media should therefore be freely receptive to ideas of individuals and groups which facilitate such communication.

Article 6

1) The State has prime responsibility for ensuring human rights and fundamental freedoms on an entirely equal footing in dignity and rights for all individuals and all groups.

2) So far as its competence extends and in accordance with its constitutional principles and procedures, the State should take all appropriate steps, inter alia by legislation, particularly in the spheres of education, culture and communication, to prevent, prohibit and eradicate racism, racist propaganda, racial segregation and apartheid and to encourage the dissemination of knowledge and the findings of appropriate research in natural and social sciences on the causes and prevention of racial prejudice and racist attitudes, with due regard to the principles embodied in the Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

....

11. International Convention Concerning the Use of Broadcasting in the Cause of Peace

(Adopted by League of Nations on 23 September 1936)

Article 1

The High Contracting Parties mutually undertake to prohibit and, if occasion arises, to stop without delay the broadcasting within their respective territories of any transmission which to the detriment of good international understanding is of such a character as to incite the population of any territory to acts incompatible with the internal order or the security of a territory of a High Contracting Party.

Article 2

The High Contracting Parties mutually undertake to ensure that transmissions from stations within their respective territories shall not constitute an incitement either to war against another High Contracting Party or to acts likely to lead thereto.

Article 3

The High Contracting Parties mutually undertake to prohibit and, if occasion arises, to stop without delay within their respective territories any transmission likely to harm good international understanding by statements the incorrectness of which is or ought to be known to the persons responsible for the broadcast.

They further mutually undertake to ensure that any transmission likely to harm good international understanding by incorrect statements shall be rectified at the earliest possible moment by the most effective means, even if the incorrectness has become apparent only after the broadcast has taken place.

Article 4

The High Contracting Parties mutually undertake to ensure, especially in time of crisis, that stations within their respective territories shall broadcast information concerning international relations the accuracy of which shall have been verified - and that by all means within their power - by the persons responsible for broadcasting the information.

Article 5

Each of the High Contracting Parties undertakes to place at the disposal of the other High Contracting Parties, should they so request, any information that, in his opinion, is of such a character as to facilitate the broadcasting, by the various broadcasting services, of items calculated to promote a better knowledge of the civilisation and the conditions of life of his own country as well as of the essential features of the development of his relations with other peoples and of his contribution to the organisation of peace.

Article 6

In order to give full effect to the obligations assumed under the preceding Articles, the High Contracting Parties mutually undertake to issue, for the guidance of governmental broadcasting services, appropriate instructions and regulations, and to secure their application by these services.

With the same end in view, the High Contracting Parties mutually undertake to include appropriate clauses for the guidance of any autonomous broadcasting organisations, either in the constitutive charter of a national institution, or in the conditions imposed upon a concessionary company, or in the rules applicable to other private concerns, and to take the necessary measures to ensure the application of these clauses.

12. Statement of the Rights, Obligations and Practices to be Included in the Concept of Freedom of Information

(Adopted by the Sub-Commission on Freedom of Information and of the Press, at its second session, 19 January to 3 February 1948)

1. The Sub-Commission on Freedom of Information and of the Press presents herewith a short, interim report of the rights, obligations and practices which should be included in the concept of "Freedom of information". Its phrasing should not be taken to imply any binding, legal or restricted interpretation of its content. It is entended only as a broad statement of principles and its provisional character should be emphasized, though it is hoped that even so short and general a statement may serve to focus future discussions and to present an introduction to the subject which will prove acceptable:

a) Freedom of information is a fundamental right and is the touchstone of all the freedoms to which the United Nations are dedicated.

b) Its establishment is essential to the maintenance, increase and diffusion of science and knowledge, and the strengthening of it will give fresh impetus to popular education and the spread of culture.

c) Freedom of information implies the right to think and to hold opinions without interference, to seek, receive and impart information and ideas by any means without fetters and regardless of frontiers.

d) For news personnel above all, but also for everyone so far as practical considerations permit, this freedom includes the right to have the widest possible access to the sources of information and to travel unhampered in pursuit thereof, and also to safeguard all sources of information honourably used.

e) The right to freedom of information and expression carries with it duties and responsibilities. These are so closely joined that their union justifies:

1) certain legal restriction, the definition of which, together with the definition of the right itself, should be incorporated in an international covenant or other multilateral or bilateral agreements within the framework of the United Nations and

2) certain moral obligations of equal importance.

f) The restrictions, penalties or liabilities referred to under sub-head (1) of the preceding paragraph should, however, be imposed only for causes clearly defined by law. They should be confined to matters which must remain secret in the vital interests of the states expressions which incite persons to alter by violence a system of government, except in case of resistance to oppression: expressions which directly incite persons to commit criminal acts; expressions which are obscene; expressions injurious to the fair conduct of legal proceedings; expressions which infringe right of literary and artistic property; and expressions about other persons which defame their reputation or are otherwise injurious to them without benefiting the public. Previous censorship of written and printed matter, the radio and newsreels shall not exist. Within the limits thus broadly described the right to freedom of communication should be considered legally absolute. Any abridgement of it, as, for instance, by previous censorship, should be considered inimical to freedom.

g) The right to freedom of expression also confers upon all who enjoy it the moral obligation to tell the truth without prejudice and to spread knowledge without malicious intent, to facilitate the solution of the economic, social and humanitarian problems of the world as a whole through the free interchange of information bearing on such problems, to help promote respect for human rights and fundamental freedoms without any arbitrary discrimination, to help maintain international peace and security and to counteract the persistent spreading of false or distorted reports which provoke hatred or prejudice against states, persons or groups of different race, language, religion or philosophical conviction, confuse the peoples of the world, aggravate relations between nations or otherwise threaten and destroy the fruits of the common victorious struggle of nations against the Nazi, Fascist and Japanese aggressions during the last world war.

h) The legal form of censorhip of the mass media of information is an element which must be taken into account as much as the spirit animating the owners. It is fundamental to the safeguarding of freedom of information that the use of the media should be governed by a willingness to express fairly differing points of view, especially on matters of importance, so that the public may have adequate facts on which to make decisions. Use of the media as an instrument of power, and not as an agency of information, destroys their capacity to inform in this comprehensive and representative fashion.

i) To prevent the media of information from becoming instruments of exploitation of public opinion, whether in the service of governments, financial interests or other private bodies, the following precautions or guarantees should be studied, either in whole or in part:

1) nomination of 'boards of trustees';

2) measures aimed at fixing the responsibility of directors of organs of information and of information personnel in the event of serious professional misdemeanour;

3) compulsory or voluntary conversion of daily organs of information into co-operatives, trust foundations, joint stock companies or any other form of ownership facilitating control in the public interest;

4) measures preventing any preferential treatment and discrimination on the part of the State relating to: newsprint and technical supplies or the activities of news personnel, transmission or dissemination of publications or news;

5) measures preventing any special link between media of information and financial, commercial or industrial enterprises leading to an undesirable influence on the media of information or to their corruption;

6) organization of disciplinary councils in the profession of journalism and the promulgation of professional codes of honour;

7) the training of information personnel in professional competence and in knowledge and understanding of public questions involved in their writing.

j) Experience proves that dangers arise when the media of information are in the hands of monopolies or quasi-monopolies, either public or private. In the former case, the state must deny itself effective control over all information media; otherwise, the function of criticism may be suppressed. In the latter case, information may be easily restricted or distorted to the detriment of the public interest.

k) The remedies for both situations deserve careful study. When the media are privately owned, attention should be directed to such measures as:

1) the establishment of boards where complaints can be heard with assurance of adequate publication of their findings;

2) compulsory disclosure of ownership and other financial matters;

3) regulation of the source of capital;

4) removal of advertising pressures;

5) regulation or prevention of the formation of national and international cartels;

6) maintenance of diversity of sources of information and prevention of the standardization of news, especially on the part of governmental information services.

In all cases there should be provision for continuing and impartial studies of the actual performance of all mass media.

l) Physical facilities and technical equipment for the dissemination of information both nationally and internationally should be distributed on a reasonable and equitable basis. Without this, information will lack the comprehensive and representative qualities required. Reasonable and equitable access to means of transmission should also be established everywhere.

m) It is recognized that in time of war or proclaimed public emergency, a state may take measures derogating from the principles outlined in this paper but only to an extent justified by the exigencies of the situation.

2. In its consideration of the rights, obligations and practices to be included in the concept of freedom of information and, especially in connection with sub-paragraphs (d) and (g) in the preceeding paragraph, the Sub-Commission voted favourably on the following resolution submitted by Mr. J.M. Lomakin (Union of Soviet Socialist Republics):

Rights and Duties of Organs of Information and the Press

1. The Sub-Commission considered it essential, in the interest of the spread of honest information, to provide telegraph agencies, newspapers and broadcasting companies with a broad access to the sources of information and to the means of communication on the territories of their own countries, as well as in other countries, within bounds that are compatible with the interests of national security.
2. The Sub-Commission considered essential the working out of such measures, which would secure the increasing availability of the communication of truly honest and objective information.

13. Draft International Code of Ethics for Information Personnel

(Adopted by the Sub-Commission on Freedom of Information and of the Press 1952)

The following is the text of the draft International Code of Ethics as adopted by the Sub-Commission at its fifth session after re-examination of the text drawn up at the Sub-Commission's fourth session in the light of comments and suggestions received from information enterprises and national and international professional associations:

PREAMBLE

Freedom of information and of the Press is a fundamental human right and is the touchstone of all the freedoms consecrated in the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights; and it is essential to the promotion and the preservation of peace.

That freedom will be the better safeguarded when the personnel of the Press and of all other media of information constantly and voluntarily strive to maintain the highest sense of responsibility, being deeply imbued with the moral obligation to be truthful and to search for the truth in reporting, in explaining and in interpreting facts.

This International Code of Ethics is therefore proclaimed as a standard of professional conduct for all engaged in gathering, transmitting, disseminating and commenting on news and information and in describing temporary events by the written word, by word of mout or by any other means of expression.

ARTICLE I

The personnel of the Press and of all other media of information should do all in their power to ensure that the information the public receives is factually accurate. They should check all items of information to the best of their ability. No fact should be wilfully distorted and no essential fact should be deliberately suppressed.

ARTICLE II

A high standard of professional conduct requires devotion to the public interest. The seeking of personal advantage and the promotion of any private interest contrary to the general welfare, for whatever reason, is not compatible with such professional conduct.

Wilful calumny, slander, libel and unfounded accusations are serious professional offences; so also is plagiarism.

Good faith with the public is the foundation of good journalism. Any published information which is found to be harmfully inaccurate should be spontaneously and immediately rectified. Rumour and unconfirmed news should be identified and treated as such.

ARTICLE III

Only such tasks as are compatible with the integrity and dignity of the profession should be assigned or accepted by personnel of the Press and other media of information, as also by those participating in the economic and commercial activities of information enterprises.

Those who make public any information or comment should assume full responsibility for what is published unless such responsibility is explicitly disclaimed at the time.

The reputation of individuals should be respected and information and comment on their private lives likely to harm their reputation should not be published unless it serves the public interest, as distinguished from public curiosity. If charges against reputation or moral character are made, opportunity should be given for reply.

Discretion should be observed concerning sources of information. Professional secrecy should be observed in matters revealed in confidence;

and this privilege may always be invoked to the furthest limits of law.

ARTICLE IV

It is the duty of those who describe and comment upon events relating to a foreign country to acquire the necessary knowledge of such country which will enable them to report and comment accurately and fairly thereon.

ARTICLE V

This Code is based on the principle that the responsibility for ensuring the faithful observance of professional ethics rests upon those who are engaged in the profession, and not upon any government. Nothing herein may therefore be interpreted as implying any justification for intervention by a government in any matter whatsoever to enforce observance of the moral obligations set forth in this Code.

14. Convention on the International Right of Correction

(Adopted by the United Nations and opened for signature on 16 December 1952)

PREAMBLE

The Contracting States,

Desiring to implement the right of their peoples to be fully and reliably informed,

Desiring to improve understanding between their peoples through the free flow of information and opinion,

Desiring thereby to protect mankind from the scourge of war, to prevent the recurrence of aggression from any source, and to combat all propaganda which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression,

Considering the danger to the maintenance of friendly relations between peoples and to the preservation of peace, arising from the publication of inaccurate reports,

Considering that at its second regular session the General Assembly of the United Nations recommended the adoption of measures designed to combat the dissemination of false or distorted reports likely to injure friendly relations between States,

Considering however, that it is not at present practicable to institute, on the international level, a procedure for verifying the accuracy of a report which might lead to the imposition of penalties for the publication of false or distorted reports,

Considering, moreover, that to prevent the publication of reports of this nature or to reduce their pernicious effects, it is above all necessary to promote a wide circulation of news and to heighten the sense of responsibility of those regularly engaged in the dissemination of news,

Considering that an effective means to these ends is to give States directly affected by a report, which they consider false or distorted and which is disseminated by an information agency, the possibility of securing commensurate publicity for their corrections,

Considering that the legislation of certain States does not provide for a right of correction of which foreign governments may avail themselves, and that it is therefore desirable to institute such a right on the international level, and

Having resolved to conclude a Convention for these purposes,

Have agreed as follows:

Article I

For the purposes of the present Convention:

1. "News dispatch" means news material transmitted in writing or by means of telecommunications, in the form customarily employed by information agencies in transmitting such news material, before publication, to newspapers, news periodicals and broadcasting organizations.

2. "Information agency" means a Press, broadcasting, film, television or facsimile organization, public or private, regularly engaged in the collection and dissemination of news material, created and organized under the laws and regulations of the Contracting State in which the central organization is domiciled and which, in each Contracting State where it operates, functions under the laws and regulations of that State.

3. "Correspondent" means a national of a Contracting State or an individual employed by an information agency of a Contracting State, who in either case is regularly engaged in the collection and the reporting of news material, and who when outside his State is identified as a correspondent by a valid passport or by a similar document internationally acceptable.

Article II

1. Recognizing that the professional responsibility of correspondents and information agencies requires them to report facts without discrimination and in their proper context and thereby to promote respect for human rights and fundamental freedoms, to further international understanding and co-operation and to contribute to the maintenance of international peace and security,

Considering also that, as a matter of professional ethics, all correspondents and information agencies should, in the case of news dispatches transmitted or published by them and which have been demonstrated to be false or distorted, follow the customary practice of transmitting through the same channels, or of publishing corrections of such dispatches,

The Contracting States agree that in cases where a Contracting State contends that a news dispatch capable of injuring its relations with other States or its national prestige or dignity transmitted from one country to another by correspondents or information agencies of a Contracting of non-Contracting State and published or disseminated abroad is false or distorted, it may submit its version of the facts (hereinafter called "communiqué") to the Contracting States within whose territories such dispatch has been published or disseminated.

A copy of the communiqué shall be forwarded at the same time to the correspondent or information agency concerned to enable that correspondent or information agency to correct the news dispatch in question.

2. A communiqué may be issued only with respect to news dispatches and must be without comment or expression of opinion. It should not be longer than is necessary to correct the alleged inaccuracy or distortion and must be accompanied by a verbatim text of the dispatch as published or disseminated, and by evidence that the dispatch has been transmitted from abroad by a correspondent or an information agency.

Article III

1. With the least possible delay and in any case not later than five clear days from the date of receiving a communiqué transmitted in accordance with provisions of article II, a Contracting State, whatever be its opinion concerning the facts in question, shall:

a) Release the communiqué to the correspondents and information agencies operating in its territory through the channels customarily used for the release of news concerning international affairs for publication and

b) Transmit the communiqué to the headquarters of the information agency whose correspondent was responsible for originating the dispatch in question, if such headquarters are within its territory.

2. In the event that a Contracting State does not discharge its obligation under this article, with respect to the communiqué of another Contracting State, the latter may accord, on the basis of reciprocity, similar treatment to a communiqué thereafter submitted to it by the defaulting State.

Article IV

1. If any of the Contracting States to which a communiqué has been transmitted in accordance with article II fails to fulfil, within the prescribed time-limit, the obligations laid down in article III, the Contracting State exercising the right of correction may submit the said communiqué, together with a verbatim text of the dispatch as published

or disseminated, to the Secretary-General of the United Nations and shall at the same time notify the State complained against that it is doing so. The latter State, may, within five clear days after receiving such notice, submit its comments to the Secretary-General, which shall relate only to the allegation that it has not discharged its obligations under article III.

2. The Secretary-General shall in any event, within ten clear days after receiving the communiqué, give appropriate publicity through the information channels at his disposal to the communiqué, together with the dispatch and the comments, if any, submitted to him by the State complained against.

....

15. International Covenant on Civil and Political Rights

(Adopted by the United Nations on 16 December 1966)

....

Article 19

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

a) For respect of the rights or reputations of others;

b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 20

1. Any propaganda for war shall be prohibited by law.

2. Any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence shall be prohibited by law.

16. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space

(Adopted by the United Nations in 1967)

Preamble

"... Taking into account United Nations General Assembly Resolution 110 (11) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space".

17. Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education and Greater Cultural Exchange

(Adopted by Unesco on 15 November 1972)

……

Recognizing that the development of communication satellites capable of broadcasting programmes for community or individual reception establishes a new dimension in international communication,

……

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, condemning propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, which resolution as stated in the preamble to the Outer Space Treaty is applicable to outer space: and the United Nations General Assembly resolution 1721 D (XVI) of 20 December 1961 declaring that communications by means of satellites should be available as soon as practicable on a global and non-discriminatory basis.

……

Considering that radio frequencies are a limited natural resource belonging to all nations, that their use is regulated by the International Telecommunications Convention and its Radio Regulations and that the assignment of adequate frequencies is essential to the use of satellite broadcasting for education, science, culture and information.

……

Article II

1. Satellite broadcasting shall respect the sovereignty and equality of all States.

2. Satellite broadcasting shall be apolitical and conducted with due regard for the rights of individual persons and non-governmental entities, as recognized by States and international law.

Article III

1. The benefits of satellite broadcasting should be available to all countries without discrimination and regardless of their degree of development.

2. The use of satellites for broadcasting should be based on international co-operation, world-wide and regional, inter-governmental and professional.

Article IV

1. Satellite broadcasting provides a new means of disseminating knowledge and promoting better understanding among peoples.

2. The fulfilment of these potentialities requires that account be taken of the needs and rights of audiences, as well as the objectives of peace, friendship and co-operation between peoples, and of economic, social and cultural progress.

Article V

1. The objective of satellite broadcasting for the free flow of information is to ensure the widest possible dissemination, among the peoples of the world, of news of all countries, developed and developing alike.

2. Satellite broadcasting, making possible instantaneous world-wide dissemination of news, requires that every effort be made to ensure the factual accuracy of the information reaching the public. News broadcasts shall identify the body which assumes responsibility for the news programme as a whole, attributing where appropriate particular news

items to their source.

Article VI

1. The objectives of satellite broadcasting for the spread of education are to accelerate the expansion of education, extend educational opportunities, improve the content of school curricula, further the training of educators, assist in the struggle against illiteracy, and help ensure life-long education.

2. Each country has the right to decide on the content of the educational programmes broadcast by satellite to its people and, in cases where such programmes are produced in co-operation with other countries, to take part in their planning and production, on a free and equal footing.

Article VII

1. The objective of satellite broadcasting for the promotion of cultural exchange is to foster greater contact and mutual understanding between peoples by permitting audiences to enjoy, on an unprecedented scale, programmes on each other's social and cultural life including artistic performances and sporting and other events.

2. Cultural programmes, while promoting the enrichment of all cultures, should respect the distinctive character, the value and the dignity of each, and the right of all countries and peoples to preserve their cultures as part of the common heritage of mankind.

Article VIII

Broadcasters and their national, regional and international associations should be encouraged to co-operate in the production and exchange of programmes and in all other aspects of satellite broadcasting including the training of technical and programme personnel.

Article IX

1. In order to further the objectives set out in the preceding articles, it is necessary that States, taking into account the principle of freedom of information, reach or promote prior agreements concerning direct satellite broadcasting to the population of countries other that the country of origin of the transmission.

2. With respect to commercial advertising, its transmission shall be subject to specific agreement between the originating and receiving countries.

Article X

In the preparation of programmes for direct broadcasting to other countries, account shall be taken of differences in the national laws of the countries of reception.

Article XI

The principles of this Declaration shall be applied with due regard for human rights and fundamental freedoms.

18. International Convention on the Suppression and Punishment of the Crime of Apartheid

(Adopted by the United Nations on 30 November 1973)

....

Article II

For the purposes of the present Convention, the term "the crime of apartheid", which shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them:

....

c) Any legislative and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

....